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OFFICIAL LETTERS

OF THE

Governors of the State of Virginia

Vol. I

The Letters of Patrick Henry



Published by the Virginia State Library

H. R. McILWAINE, GENERAL EDITOR

RICHMOND:

DAVIS BOTTOM, SUPERINTENDENT OF PUBLIC PRINTING

1926

PREFACE

The present volume is the first volume of a series bearing the title "Official Letters of the Governors of the State of Virginia".

The first governor of Virginia since it became a State, in 1776, was Patrick Henry, who was elected for three terms of one year each, the term of office of the governors being, according to the Constitution of the State, only one year, and no governor being eligible for more than three successive elections. Henry thus served the constitutional limit. He was elected again in 1784 and served two terms, declining a sixth election.

This volume contains the official letters of Patrick Henry for his first three terms of office. It contains, of course, also, the official letters of those who at times of his enforced absence assumed as lieutenant-governor gubernatorial duties, for it is the letters of the persons actually conducting the affairs of the government that it is the design to print in this series, the letters emanating from the governor's office. Hence many letters of John Page, president of the Council of State and lieutenant-governor, also appear, and there are a few letters of Dudley Digges, second in rank in the Council, who acted as lieutenant-governor in the absence of both Governor Henry and Lieutenant-Governor Page.

Unfortunately, the letter-books of Patrick Henry, or, more strictly speaking, the executive letter-books, have all been lost. It has been supposed that they were carried away from Richmond by Benedict Arnold after his capture of the city in 1781. It is known that he took away at that time one of the letter-books of Thomas Jefferson, which is at present in the British Museum and photostat prints of the pages of which have been secured for the Virginia State Library for use in the second

volume of this series of "Official Letters of the Governors of the State of Virginia". Taking this letter-book of Thomas Jefferson away and the letter-books of Patrick Henry, if he actually did take them, was a legitimate act of war, since they contained much valuable information as to the prosecution of the war. It is very unfortunate, however, that the books of Patrick Henry did not have the same later history as the Jefferson book. It is not beyond the bounds of possibility that they may still be found somewhere in England. It will then be a very graceful thing for the English government to secure them and also the Jefferson letter-book now in the British Museum and return all to the State of Virginia.

It should be understood, however, exactly what governors' letter-books are. They are merely copies of the originals actually sent, kept as a record, their accuracy depending on the efficiency of the clerks who made them. They are by no means so accurate as present-day carbon copies of typewritten originals. It is hardly to be supposed that the governors read them over very closely if at all, except possibly the very most important of them. Many mistakes must have crept in—hardly, however, of any very great gravity.

In the absence of those letter-books of Patrick Henry resort has had to be had to the originals or copies wherever either could be found. One great source has been "Patrick Henry—Life, Correspondence and Speeches," by W. W. Henry, the grandson of Patrick Henry, in three large volumes—a most important and valuable publication—to whose son, Mr. W. W. Henry, Jr., the editor wishes to make public acknowledgement of his indebtedness for permission to copy from that work any and all letters desired. The originals of many of these letters are to be found in the Virginia State Library—especially communications from the governor and lieutenant-governor to the speaker of the House of Delegates, those communications which in these days would be called "messages" and be sent rather to the whole General Assembly than to one house, for the Senate is at the present time a body of considerably greater importance than in

the early days of the State. When the originals have been found here, they have been followed, and not the texts as printed by W. W. Henry. However, many letters in W. W. Henry's volumes have been copied, and it is very fortunate that this source is in existence, since the editor has been unable to discover the present location of many of the originals.

But Mr. W. W. Henry was unable to find a great many letters of Patrick Henry which are now readily available—in the Library of Congress, the Wisconsin Historical Society Library, the collections of the North Carolina Historical Commission, etc., whose material has been progressively more and more minutely arranged and classified and catalogued since Mr. Henry completed his work in 1891—thirty-five years ago. It is not surprising, therefore, that the present volume contains a great many more of the official letters of Patrick Henry than are in the other work.

In the present volume the source of each letter printed is given as introductory to the letter itself. The reader will be no doubt surprised to note the variety of these sources. The letters of Patrick Henry are much scattered, and they are even now not infrequently coming on the market—letters so far unprinted. This edition of the letters does not lay claim to even an approximation to definitiveness. It only embodies the best that could be done in the absence of the letter-books. The editor wishes to thank the heads of institutions who have permitted the copying of letters in their collections and use of them here; also to thank several private owners of letters for presenting reproductions of these letters. Since in addition to the fact that the source of each letter is given at the beginning of the letter, a list of all the sources appears at the close of this preface, it is not deemed necessary to name all those here to whom thanks are extended.

Far from being definitive, the volume contains, in fact, only a fragment of the letters that were actually written. This is made evident by a perusal of the *Journal of the Council of Virginia* for the period and the *Journal of the House of Delegates*.

The Council was a body retained in the Constitution of the State, made in 1776, to advise and assist the governor in the performance of his duties. The Council was extremely important. In Colonial days it was all-powerful, being not only an executive body but a judicial and legislative body as well. It was the supreme court of the Colony and one of the houses of the General Assembly. Of its judicial and legislative functions it was shorn by the Virginia Convention of 1776, which adopted our first Constitution, but it was retained in our frame of government as a part of the executive branch, and did not go out of existence till omitted from the Constitution by the Convention of 1850-51.

Fortunately, the journals of this important body are still extant. They show that the governor was advised to write many a letter copy of which is not contained in the present volume. Nearly always the contents of the letters may be inferred. Occasionally, where the letters are very important, they appear in the Council Journal in full. For this reason it has been thought well to print many excerpts from the Council Journal. The primary object has been to show what letters were written and the contents of these. And, since the letters given in full and those merely mentioned in the journal would give, if we had them all, a pretty good history of the participation by the government of the State of Virginia in the Revolutionary War, really the object of the publication of the book, the temptation to give this history by fuller excerpts from the Council Journal than would be needed merely to list the letters advised by the Council to be written, has been occasionally yielded to. In the same way and for the same reason excerpts have been printed from the Journal of the House of Delegates.

The title of the present volume, accordingly, is not absolutely accurate. The book is really a documentary history of the part played by the government of the State of Virginia in the Revolutionary War in so far as the official executive letters are concerned and the House and Council journals. It is not proposed in future volumes to call in the help of the journals, for there will be an unbroken series of letter-books. So that the

contents of future volumes will be much more accurately set forth by the title.

In the preparation of the volume the editor has been greatly assisted first by Mr. Gaston Lichtenstein and then by Dr. Robert A. Stewart. Mr. Lichtenstein explored the contents of the library—both the printed books and the manuscript collection—for letters, and made a list of them. Dr. Stewart checked up the work of Mr. Lichtenstein and made further explorations. In addition, he corrected the copies of the letters, suggested that the Council Journal and the Journal of the House of Delegates be called on to fill out the material in the letters themselves, actually selected and copied the excerpts from those two sources, and, finally, prepared the great majority of the notes. In short, his name might well be placed on the title-page of the volume as editor but for the fact that the general editor of the series has gone carefully over the whole work and made such alterations as appeared to him to be called for. To both those gentlemen—to the latter especially—the editor wishes to return his sincere thanks.

A word or two as to the typography of the volume may not be out of order. A certain style was determined on, which will be apparent to the close reader of the book, but this has been departed from in the case of material copied from other printed books, where it has been the effort to follow the style of those books, and sometimes in the case of material copied from the manuscript Journal of the Council. The clerk of the Council frequently emphasized words by writing them in large letters, and this peculiarity has been followed—usually—in the printed text. As an illustration, the word “ordered” is invariably printed in italics in the Journal of the House of Delegates, and the effort has been made in this volume so to treat it in excerpts from that Journal. This word is sometimes, but not by any means always, written in letters much larger than the letters of the surrounding words in the manuscript Journal of the Council. The effort has been made to show this, too, in this book, but a careful comparison of the printed book with the manuscript

Journal discloses the fact that the effort was not absolutely successful. This does not seem to be, however, a matter of very great importance. But the very greatest care has been taken to reproduce the spelling, punctuation, and capitalization of all originals.

A list of the sources of the letters printed follows, the word "letters" being used rather inclusively to cover all manner of communications from the governor to individuals and to the public:

The Virginia State Library, 60, not counting the great number of excerpts from the Journal of the Council and the Journal of the House of Delegates.

"Patrick Henry—Life, Correspondence and Speeches," by W. W. Henry, 59.

Library of Congress, 24.

"Colonial Records of North Carolina" and "State Records of North Carolina," 17. ("The Colonial Records of North Carolina," edited by William L. Saunders, and "The State Records of North Carolina", edited by Walter Clarke, constitute, in fact, only one series and are indexed as one. There are twenty-six large octavo volumes plus four index volumes. In these are Governor Henry's letters, some of them very important, to the governor of North Carolina.)

"Frontier Defense on the Upper Ohio, 1777-1778," edited by Reuben Gold Thwaites and Louise Phelps Kellogg, 12.

"The Revolution on the Upper Ohio, 1775-1777," edited by Reuben Gold Thwaites and Louise Phelps Kellogg, 8.

Wisconsin Historical Society Library, 7. (The last three sources should, in fact, be treated as one, the Wisconsin Historical Society Library, for the material in the two printed books is all copied from the famous Draper Manuscripts in that library. See note 26, on pages 15 and 16 of this volume.)

The Virginia Gazette, 8. (Mostly proclamations—which may well be looked on as letters to the public from one in authority.)

The Pierpont Morgan Library, 5.

"American Archives," edited by Peter Force, 5.

"George Rogers Clark Papers, 1771-1781," which is volume 8 of the "Collections of the Illinois State Historical Library," 3. (But these also should be credited to the Wisconsin Historical Society Library, the original source.)

"Pennsylvania Archives," 3.

"Virginia Magazine of History and Biography," 2.

"Maryland Historical Magazine," 2.

"Proceedings of the [Virginia] Convention of May, 1776," 1.

The Rosenbach Company, New York, 1. (This is number 259 of the Anderson Galleries' sale of the James H. Manning Collection, January 19, 1926.)

The Patrick Henry Hotel, Roanoke, Virginia, 1. (This is number 256 of the Anderson Galleries' sale of the James H. Manning Collection, purchased by Mr. S. H. McVitty, of Salem, Virginia, and presented to the Patrick Henry Hotel.)

Massachusetts Historical Society Library, 1.

"History of Washington County Pennsylvania," by Boyd Crumrine, 1.

"Conquest of the Country Northwest of the River Ohio, 1778-1783, and Life of George Rogers Clark", by William Rogers English, 1. (This item is printed in many places, the original paper being owned by the Indiana Historical Society. It was copied from English's "Conquest of the Northwest" because it appears in that book is facsimile.)

H. R. McIlwaine,

Richmond, Va.

September 12, 1926.

The Letters of Patrick Henry

MESSAGE OF PATRICK HENRY ACCEPTING HIS ELECTION AS GOVERNOR OF VIRGINIA JULY, 1776.

(From "*Proceedings of the Convention of Delegates held at the Capitol, in the City of Williamsburg in the Colony of Virginia, on Monday, the 6th of May, 1776*", pp. 79 & 80—the 1816 reprint edition.)¹

Gentlemen,

The vote of this day appointing me Governour of this Commonwealth has been notified to me in the most polite and obliging manner, by George Mason,² Henry Lee,³ Dudley Digges,⁴ John Blair⁵ and Bartholomew Dandridge,⁶ Esquires.

¹For an epitome of the events leading up to the establishment of the Commonwealth, see an article entitled "The Last Fifteen Years of the House of Burgesses", by James Mercer Garnett, *Virginia Historical Magazine*, Vol. XVIII, p. 213 *et seq.*

Hereafter, this Magazine will be indicated in the notes by the abbreviation V. H. M.

²George Mason (1726-1792) was a member of the Ohio Company in 1749; member of the House of Burgesses 1758-1761; he drew up the non-importation plan offered by Washington and adopted by the Burgesses in 1769; in 1775 he was a member of the Virginia Convention; served on the Committee of Safety, and was the author of the celebrated declaration of rights and plan of government adopted by the Virginia Convention of 1776.

³Henry Lee (1729-1787), of Leesylvania, Prince William County, was a burgess in several assemblies just before the Revolution, as well as that of 1775-1776, and a member of the conventions of 1774, 1775, and 1776. He was the father of Light Horse Harry Lee and the grandfather of General Robert E. Lee.

⁴Dudley Digges, of Williamsburg, Virginia, son of Cole Digges, of "Bel-field", York County, was appointed colonel of horse and foot in the York County militia. He was a member of the House of Burgesses for a number of sessions beginning with that of February, 1752. He was a member of the Revolutionary conventions, a member of the General Committee of Safety, 1775-1776, and on June 29, 1776, was elected a member of the first State Privy Council, and throughout the Revolution remained a most valuable member of this body. Col. Digges died June 3, 1790.

⁵John Blair (1732-1800) was a son of John Blair, president of the Virginia Council; studied law at the Temple in London; was a member of the House of Burgesses for the College of William and Mary in 1766-1768, 1769, and 1769-1771; at the latter date he resigned to become clerk of the Council. He again represented the college in the Convention of May, 1776. Later he became chief justice of the General Court, and in 1780 a judge of the High Court of Admiralty. He was a member of the Federal Convention in Philadelphia, which framed the Federal Constitution, and in 1798 was appointed a justice of the United States Supreme Court.

⁶Bartholomew Dandridge (1737-1785), son of John Dandridge, of New Kent County. He represented his native county in the House of Burgesses in 1772-1774 and 1775-1776. He was a member of the House of Delegates and in 1778 was made judge of the General Court. He was a brother of General Washington's wife.

A sense of the high and unmerited honour conferred upon me by the Convention fills my heart with gratitude, which I trust my whole life will manifest. I take this earliest opportunity to express my thanks, which I wish to convey to you, gentlemen, in the strongest terms of acknowledgement.

When I reflect that the tyranny of the British king and parliament hath kindled a formidable war, now raging throughout this wide extended continent, and in the operation of which this commonwealth must bear so great a part, and that, from the events of this war, the lasting happiness or misery of a great proportion of the human species will finally result; that, in order to preserve this commonwealth from anarchy, and its attendant ruin, and to give vigour to our councils, and effect to all our measures, government hath been necessarily assumed, and new modelled; that it is exposed to numberless hazards and perils, in its infantile state; that it can never attain to maturity, or ripen into firmness, unless it is guarded by affectionate assiduity and managed by great abilities, I lament my want of talents, I feel my mind filled with anxiety and uneasiness, to find myself so unequal to the duties of that important station to which I am called by the favour of my fellow citizens, at this truly critical conjuncture. The errors of my conduct shall be atoned for, so far as I am able, by unwearied endeavours to secure the freedom and happiness of our common country.

I shall enter upon the duties of my office, whenever you, gentlemen, shall be pleased to direct: relying upon the known wisdom and virtue of your honourable House to supply my defects, and to give permanency and success to that system of government which you have formed, and which is so wisely calculated to secure equal liberty, and advance human happiness.

(From Journal of the Council.)

Friday 12 July 1776.

Additional Instructions to Captain James Cocke, of the Cruizer Brigg Raleigh were drafted, considered, approved of, ordered to be fairly transcribed, & a Copy thereof delivered Captain Cocke and are as follows,

Sir,

You are to take both the Captains Barrons^{6½} to Cruize with you, and you are directed at some convenient Time to send one or both of them to the Eastern Shore, with orders to bring the Gun powder lodged there & belonging to the Public, to such safe Place or Harbour on this Shore as you may direct; observing all possible Care, Circumspection,

^{6½}Capt. James Barron and Capt. John Barron were sons of Capt. Samuel Barron, of Fort George, now Fort Monroe.

Capt. James Barron had a distinguished career in the Virginia Navy during the Revolution. He was made a captain in the United States Navy in 1799, and a commodore in 1806. He was in command of the *Chesapeake* at the time of its affair with the British frigate *Leopard*. In 1820 he killed Commodore Decatur in a duel near Bladensburg, Maryland. Commodore Barron died in Norfolk, Virginia, in 1851.

& secrecy in conducting this business, so as to run as little Risque in transporting this Gun powder over the Bay as possible.

Ordered, that a Letter be written to the Commanding Officer on the Eastern Shore, desiring him to deliver to Captain James Cockes Order all the Powder under his care, belonging to the Public, except, so much of it, as he may Judge necessary for the use of the Troops & armed Vessels on that Shore; and that the said Commanding Officer be directed to lend every assistance in his power to execute that Business.

Ordered, that one of the Companies of Minute Men, with Militia stationed at Hampton, be employed to guard & protect the Salt Works near that place, and that the Commanding Officer, there, be required to give orders accordingly.

It being represented to this Board by Captain William Michell that his Company of Marines is very insufficiently armed; Ordered that fifty two Musquets & Bayonets be delivered to him from Mr. James Hunters⁷ Manufactory at Fredericksburg.

Saturday July 13. 1776

A Letter was written to the Honble the Council of Safety of Maryland as follows Gentⁿ &c. a copy whereof is filed and ordered to be recorded in a Book to be provided & set apart for that purpose.

A Letter was written to the Honourable Virginia Delegates in Congress as follows Gent. &c. a copy whereof is filed & ordered to be recorded.

Saturday the 13th July, 1776

Present, John Page^s Esquire President Dudley Digges Bartholomew Dandridge John Blair, & Benj^a Harrison jun. Esquires.

⁷James Hunter, a man of wealth, had begun some years before the Revolution to develop the iron industry in Virginia. With trifling aid from the State he proceeded, on the outbreak of war, to expand his plant to meet war-time demands. As to their value to the military establishment James Mercer attested in a letter to Governor Jefferson in April, 1781: "I am sure I need not tell you that it is from Mr. Hunter's works that every camp kettle has been supplied for the continental and all other troops employed in this State and to the Southward this year past: that all anchors for this State and Maryland and some for continent have been procured from the same works; that without these works we have no other recourse for these articles and that without the assistance of bar iron made there even the planters hereabouts and to the Southward of this place would not be able to make bread to eat."

For further information on this subject, see the series of articles on "Fredericksburg in Revolutionary Days" in the *William and Mary Quarterly*, beginning Vol. XXVII, No. 2.

⁸John Page, of "Rosewell" (1744-1808), a graduate of the College of William and Mary, was a member of the House of Burgesses, of the Colonial Council, and of the Committee of Safety; a delegate to the State Constitutional Convention of July, 1776; lieutenant-governor; a representative in the 1st-4th congresses, 1789-1799; and succeeded James Monroe as governor in 1802. In 1805-1808 he served, by appointment of President Jefferson, as United States commissioner of loans.

During the frequent and often extended absences of Governor Henry from Williamsburg, John Page exercised the functions of chief magistrate.

Instructions to Captain John Calvert^a of the Row Galley Norfolk Revenge, were drafted considered, approved of, ordered to be fairly transcribed & a copy thereof delivered Captain Calvert & are as follows:

Captain Calvert,

You must with all convenient dispatch proceed with the Row Galley, Norfolk Revenge under your Command down James River & into the Bay as far as you may Judge safe and necessary for the purpose of annoying or distressing the Enemy, or for protecting any of our own trading Vessels or any foreign Vessels coming with friendly Intentions of trading with us; taking care at the same time to afford all the protection in your Vessels to such of the Inhabitants on the Shores as may be exposed to the attacks of the Enemy. In all other Vessels we order & request you to exert your best Skill & Judgment in all matters which may fall within the Line of your duty, having especial regard to the safety of the Vessels and Men under your Command on one hand, & on the other to the full Exertion of your Power and Abilities in Captivating annoying distressing, & destroying such of the Enemy's Ships or Vessels which may fall in your way, & which you may judge to be of inferior strength to the Galley which you Command. You are to Chuse your own Ground for Cruizing unless when acting in Conjunction with Captain Cocke Commander of the Brigg Raleigh in which Case you must pay a proper Regard to his Directions & Instructions.

Ordered, that the Keeper of the Public Jail, do deliver the Negroes in his custody to Mr. Peter Force, to be by him carried to the Lead Mines, and there delivered to M^r James Calloway; and that M^r Force give his Receipt to the Jailer for the same.

JOHN PAGE, LIEUTENANT-GOVERNOR, TO THOMAS
JEFFERSON.

(Jefferson Papers, Library of Congress.)

W^msburg July y^e 15th 1776.

My dear Jefferson

I have just Time to inclose your a Copy of General Lee's Letter written the Day after the Cannonade of Fort Sullivan- it came to Hand two Days after his other though written 4 Days before it- this was a glorious affair! L^d Dunmore has had a most compleat Drub-

^aOn June 6 the Committee of Safety had "*Resolved* that Mr. Christopher Calvert be appointed to superintend building the two Rowe Galleys ordered by the General Convention to be fitted out in Ocrecock for the protection of the trade of this Colony and the Province of North Carolina, and to engage a Master builder to act as Director of the yard, and so many Workmen as he shall judge necessary to prosecute the work with Expedition. * * * * *

bing-¹⁰ the Fleet left 7 fine Cables & Anchors worth at least £1200, three of their Tenders completely furnished fall into our Hands- If we had had only 2 more 16 Pounders & Powder & Ball in plenty we might have taken or utterly destroyed the Dunmore, & all their Tenders- The Fowey did not attempt to assist the Dunmore, the Otter preparing once to fire but received a shot between wind & Water, on which she went off on a Careen- I hope every one here especially of our late Committee will remember how often I insisted on erecting Batteries, & attacking this Fleet- If I could have been listened to, I would have agreed to be hanged if I would not have saved Norfolk & destroyed the Fleet before it- 4-16s & as many 9 Pounders would have done their Business- our Governor¹¹ is still so sick that he can not attend to Business- I

¹⁰"Since the town and the whole country about Norfolk was devastated, and his crew and refugee Loyalists were in the direst straits on shipboard, Dunmore left the ruins of Norfolk and began his cruising and plundering along the coast. But the condition of the Loyalists on board was horrible. Crowded quarters, poor and insufficient food, and finally disease worked death and horror among these wanderers from home, who had paid so dearly for their allegiance. Among the negroes a fever and malignant type of small-pox were killing several each day and their bodies were dumped unceremoniously overboard. Finally it became necessary to land, and Dunmore chose Gwynn's Island (Gloucester County) for disembarking. On that island the silent and shallow graves of near five hundred souls attest the horrors and sufferings of the Loyalists.

"For a while Dunmore defended this small island with the assistance of Mr. John Grymes, commanding a troop of cavalry stationed near the center of the island. But this small band of Loyalists—for a large number of those who sailed from Norfolk were sick or dead—could not expect to hold their position long. On July 10, 1776, they were attacked and driven off by a superior force, many of the Loyalists narrowly escaping capture at the hands of the patriots.

"For about two weeks more Dunmore dodged in and out of the bays and rivers along the coast, hoping to find some shelter and assistance towards re-establishing his authority. But a storm did considerable damage to his fleet, and it became necessary to depart for repairs. On July 31, 1776, on the Potomac River, Dunmore writes to Sir George Germaine: 'I have taken the opportunity of advising all those who have put themselves under the protection of his Majesty's ships to proceed to such places of safety as they shall think proper. Some go immediately to Great Britain and others to St. Augustine'. He might have added, too, that some were going to New York. For many***** found their way there and enlisted in the various Loyalist regiments."—John A. George's "Virginia Loyalists", *Richmond College Historical Papers*, Vol. 1, No. 2 (1916).

For basis of above statements, see *Virginia Gazette*, August 23, 1776 (unsigned letter); "American Archives", Series 4, Vol. IV, 159-161; *Virginia Gazette*, March 8, 1776; *ibid.*, July 12, 1776; and July 19, 1776; "American Archives", Series 4, Vol. II, 164.

In a letter to Thomas Jefferson, July 21, 1776, Richard Henry Lee wrote, "***we have no reason to be sorry for the disgrace of our African Hero at Gwynns Island—He is now disturbing us in Potomac, having attached himself to St. Georges Island on the North side. But it seems the brave spirit of the Marylanders will not permit these folks to remain long where they now are."

¹¹Governor Henry was absent until the September 17th meeting of the Council.

am presiding Member & am so pestered with Letters & answering them that I have not Time to add but a few Words More- The N Carolinians have sent the Clothes which G-Lee wanted for their People they have also sent a good Stock of Gun powder- & we are sending what can be spared from here to North Carolina to replace what they have lent- For God's Sake set on Foot an Expedition against Detroit-

I am y^{rs}

JOHN PAGE

(From Journal of the Council.)

Thursday July 18, 1776.

The Board took under consideration the Invitation prepared by the Commissioners of the Navy, from the Commonwealth of Virginia to their Brethren who are sons of Liberty & Seamen to engage in the Defence of the Liberties of America containing an agreement between the Captains of Vessels of War fitted out at the expence of this Commonwealth, & the several Seamen engaging to serve therein; which was read and approved of. And it is ordered that the public Printer strike off one hundred Copies of the same.

The PRESIDENT, received a Letter from the President of the Council of Safety¹² of North Carolina requesting a Supply of Lead to be delivered them at the Lead Mines, which being read and considered the Board were of Opinion, And it was accordingly ordered that M^r Calloway¹³ the Manager of the Lead Mines deliver whatever Lead he has ready to the order of the said Council of Safety that he charge the usual price for the same and send an Account thereof to the President of the Council of Safety of North Carolina, and also to the Board.

Friday July 19, 1776.

Two French Gentlemen styling themselves Le Chevalier de Saint Aubin, & Le Chevalier de Harrincourt, who were taken by Lord Dunmores Fleet when they were coming in with a Cargoe of Arms & Ammunition from Martineque, being introduced this day before the Board, and it appearing from their account that they had been Officers in the Armies of France, One as a Captain of Light Horse, and the other of a Company of Foot, and that they are destitute of Cloths & other necessaries of which they lost by flying from the Enemy when they were under their Confusion in the late attack on Gwyne Island;¹⁴ Ordered therefore that Warrants issue on the Treasurer to pay twenty pounds to each of

¹²Cornelius Harnett, virtually governor of North Carolina at that time. Delegate to Continental Congress in 1777, 1778 and 1779. Captured by the British in 1780, paroled but died in 1781 of disease contracted in a British prison. Called by Josiah Quincy "The Samuel Adams of North Carolina."

¹³Colonel James Calloway, county lieutenant of Bedford. The lead mines were on New River in the neighborhood of the present Austinville, in what is now Wythe County.

¹⁴Gwynn's Island, Gloucester County [the part that is now Mathews County], from which Lord Dunmore's forces had been recently dislodged. See *infra*.

those Gentlemen. And it is further ordered that Mr Southall¹⁵ entertain them in reasonable Terms at the expence of the Public.

Saturday July 20th 1776.

Ordered, That the manager of the Salt Works¹⁶ in Elizabeth City County prepare as many Barracks or wooden tents as will be sufficient to lodge the minute men & others to be employed there, and the President is requested to write him to that Purpose.

A Letter¹⁷ was written to the Honourable John Hancock President of the Congress as follows Sir etc. And another to the Honorable Virginia Delegates in Congress as follows "Gentlemen, &c., Copies whereof are filed & ordered to be recorded.

Ordered, That the two Printers publish in their respective Gazettes the Declaration of Independence made by the Honble Congress and that the Sheriff of each County in this Commonwealth proclaim the same at the Door of the Courthouse the first Court day after he shall have received the same. And it is farther ordered that a Copy of this order be inserted in each of the Gazettes, at the foot of the said Declaration.

JOHN PAGE, LIEUTENANT-GOVERNOR, TO THOMAS
JEFFERSON.

(Jefferson Papers, Library of Congress.)

July the 20th 1776

My Dear Jefferson

We are very much at a Loss here for an Engraver to make our Seal¹⁸. M^r Wyth¹⁹ & myself have therefore thought it proper to

¹⁵James Barret Southall, landlord of the Raleigh Tavern, Williamsburg.

¹⁶For the statutes concerning salt works see Hening's "Statutes at Large", IX, 122-126; 310-312.

¹⁷Read in Congress July 29.

¹⁸On July 5, 1776, the last day of the Convention of 1776, George Mason, from the committee to which the matter had been referred, reported a device, the same as that now used, and George Wythe (who is believed to have suggested the design) and John Page were desired to superintend the proper engraving of a seal. See Evans, "Seals of Virginia".

¹⁹George Wythe (1726-1806), made attorney-general by Governor Dinwiddie, in the absence of Peyton Randolph, in 1754; burgess, clerk of the House of Burgesses until 1775; member of the Committee of Correspondence; opposed the resolutions of Patrick Henry in 1765, as hasty and premature; member of Congress, August, 1775; signed the Declaration of Independence. A compiler of the Code of 1769, he was chosen in 1776 as a member of the committee to revise the laws of Virginia. He was speaker of the House of Delegates in 1777, and in the same year was appointed one of the three judges of the new Court of Chancery. Appointed to William and Mary in 1779, he became the first professor of law in the United States. In 1789 he resigned his professorship to become chancellor of Virginia. He was vice-president of the Virginia State Convention that ratified the work of the Federal Convention. He was the instructor in law of both Thomas Jefferson and John Marshall, the latter of whom declared him one of the greatest men of his age."

Wythe died from the effects of poison, believed to have been administered to him by his great-nephew, George Wythe Sweeney, who, however, was acquitted of the charge.

apply to you to assist us in this Business- Can you get the Work done in Philadelphia? If you can, we must get the Favour of you to have it done immediately- the inclosed will be all the Directions you will require- the Engraver may want to know the Size- this you may determine, unless M^r Wyth sh^d direct the Dimensions- He may also be at a Loss for a Virtus & Libertas, but you may refer him to Spence's Polymetis which must be in some Library in Philadelphia- Pray let us know by the first opportunity whether you can get it done. Before this can reach you, you will have heard of the Glorious News from South-Carolina- Dunmores Fleet was at the Mouth of Potowmack when I heard last from it- it had been at Anchor 16 Hours with a fair Wind up the River & Bay- so that it is evident they did not know where to go to- there is no Danger of their returning to the Island unless they get a very considerable Reinforcement & even then we may give them a severe Check & retreat to the Main- they can not enter Norfolk Harbour without receiving great Damage for we have Batteries mounting 4, 24, & 5, 16 Pounders besides a number of smaller cannon- if half these Guns had been mounted in Oct^r as I advised, Norfolk would not have been burnt- 2.16 Pounders at Gwynn's Island almost beat the Dunmore to Pieces, & drove off the whole Fleet. Danny & Cha^s Harrison behaved admirably well on that Occasion, so well, that no one seems to regret the Loss of Arundel²⁰, who lost his Life by the bursting of a wooden Mortar which was foolishly constructed & he obstinately persisted in his Resolution to fire, though dissuaded from it by every one who saw it- I must refer you to the Papers of this Week for the Particulars of the late Cannonade- they were written by Officers & may be depended upon- We have taken a little Tender, since their Flight, which was cruising off the Eastern Shore, in quest of Provisions- little Jemmy Parker was taken in her- She carried 12 Swivels & 18 Men- We have a fine Brigg mounting 12 4 Pounders under the Command of Captⁿ Ja^s Cocke a brave & experienced Officer now cruising in the Bay- & a Row, Galley carrying 2 18 Pounders is gone down Ja^s River- but I do not like the Galley she is Clumsey, & I think can not carry the 2 heavy Guns to any Advantage- We expect Lilly will cruise next Week- If we had got our whole Fleet ready before the Attack at Gwynn's Island, we might have taken every Ship the Enemy had except the Roebuck- If they do not get a Reinforcement in 6 Weeks we shall give a good Account of them yet- If General Washington & Howe can but hear of the Affair of Sullivan's Island before they engage, it will go a great Way towards deciding the Dispute- it is impossible it should not animate our Men to the highest Degree, & Dispirit the Enemy. Can not you stop Burgoines Career? I hope you have taken Care of the Lakes- Fort Pitt you know is a Post of the last Importance to Virginia & Pennsylvania- the Indians have murdered a Man within 3 Miles of it- it is an extensive Work much out of Repair, very weakly Garrisoned, by only 100 Men, & is within 4 or 5 Days March of Niagara where our Enemies have Men enough with Savages to spare a Detachment which might come in 24 Hours 100 Miles of their

²⁰Johicki Arundell, commissioned captain of artillery, Feb. 5, 1776; killed July 8.

way, & might take the Fort before it could be reinforced- this State of things I had from a very sensible Officer who came down last Week as an Express. The Shawne have sent in 4 Hostages to Fort Pitt but then he observes they sent no Interpreter with them- do consider these Things & either reinforce Fort Pitt, or send an Army against Detroit & Niagara- Give my Love to Nelson tell him that I have not Time to write another Line being beset with the Gouvernours Business who is still unable to attend to it-

Adieu-

JOHN PAGE

P. S.

I am highly pleased with your Declaration- God preserve the united States- We know the Race is not to the swift nor the Battle to the strong- Do you not think an Angel rides in the Whirlwind & directs this Storm?

I had forgotten to mention till this Moment that there are 2 french Gentⁿ here, who made their Escape from L^d Dunmore, when he was under his Confusion & flying from Gwynns Island- they were taken by a Tender, some Time ago, when they were coming into Norfolk with a Cargo of Arms Powder & Medicine-which when they had disposed of, they intended to have offered their Service to us as Officers in a Troop of Horse- one of them having commanded a Troop in old France, the other had been in the Foot but was willing to serve in the same Corps with his Friend- they say that the Governour of Martinique recommended it to them to come & introduce themselves to us in that Manner- they appear to be Gentⁿ- the Council have ordered them to be boarded at Southalls, have given them 20 Pounds a Piece, as they lost all their Clothes with the Enemy & had been plundered by them of their Cash & we promised to write to the Congress to know whether they may expect any Encouragement if they should go to Philadelphia- one of them * * * [illegible] chuse to return to Martinique to complain of the ill Treatment he received from L^d Dunmore- they both lament that their Papers of Credit were taken from them- These may be valuable Men - I for my Part want to detain them here til we can be better acquainted with them. The Chevalier De S^t Aubin says he is perfectly acquainted with every Manoeuvre of the Horse- if so, which we may soon know when one or 2 of our Troops come to Town, I hope he may be appointed Maj^r- but what would you advise us to do? We have advised them to stay here til we can hear from our Delegates - once more *adieu*

J. P.

[Indorsed:] Page, John July 20. 1776.

JOHN PAGE, LIEUTENANT-GOVERNOR, TO JOHN HANCOCK,
PRESIDENT OF CONGRESS.

(From Manuscript Letter in Library of Congress.)

In Council W^msburg July 20, 1776.

Sir

We had the honour to receive your Letter of the 8th Instant inclosing the Declaration of Independence and the Resolve of Congress respecting the Augmentation of the Rifle Corps at New York-

We shall take care to have the Declaration immediately published so as that the People may be universally informed of it, who, we have the pleasure to inform you, have been impatiently expecting it and will receive it with Joy.

We are perfectly satisfied of the Utility of Riflemen and wish it were in our Power to assist in raising the number but the Convention has adjourned and we are vested with no Powers, which can in any manner enforce or carry into execution that Vote; If Commissions could be sent to proper Persons they might raise Companies which would have a Right to march to New York, but we could not oblige them to do so.

It is with Pleasure, Sir, we observe that you say in consequence of the Declaration you are fully convinced that our Affairs may take a more favorable turn, and we firmly rely on the Protection, and Continuance of the powerful Interposition, of that Being, whose Power no Creature is able to resist. I have the honour to be with the greatest Respect.

Sir

Your most obed^t & most hble Serv^t

JOHN PAGE P^t

(From Journal of the Council.)

Monday July 22^d 1776.

On receiving and considering a Letter from General Lee, and another from the Honourable M^r Rutledge, President of South Carolina, informing us that Hostilities had been commenced by the Cherokee Indians,²¹ and that it had been agreed on, that an expedition should be

²¹The *Virginia Historical Magazine*, Vol. XVII, pp. 52 and 53, has the following note:

"In the early summer of 1776 a party of seven hundred Cherokees advanced against the Watauga and Holston Settlements with the design of destroying everything as far as New River, but the men of Holston, on both sides of the Virginia line, hastily assembled, and, under the command of Captain Thompson, defeated the Indians in a hard-fought action at Long Island of Holston (Kingsport, Tenn). About the same time the fort at Watauga was unsuccessfully attacked by the Cherokees, who, however, ravaged the settlements in various directions, killing one man and wounding others at the present site of Abingdon, Va. At the same time other bands of the tribe were raiding the frontiers of the Carolinas and Georgia. The States whose territories were endangered determined to strike such a severe blow at the Cherokees that they would no longer be a source of peril. In the summer of 1776 four expeditions were sent out by Virginia, North Carolina, South Carolina and Georgia. In August the North Carolina army, under General Griffith Rutherford, 2,000 strong, crossed the Blue Ridge at Swannanoa Gap and destroyed every Indian town—thirty-six in all—upon the Oconaluftee, Tuckasegee, the upper part of the Little Tennessee and Hiwassee. At Waya Gap, in the Nantahala Mountains, there was a hard fight, in which the Cherokees were repulsed; but the North Carolinians lost forty men.

"On September 26th the South Carolina army, under Col. Andrew Williamson, 1,860 strong, joined Rutherford near the present Murphy, N. C.

immediately set on Foot against the lower Towns, by the Two Carolina's; and recommending it to us to cooperate with their Commander; and carry the War into the upper, or over Hill Towns, it was agreed; that Colonel Charles Lewis²² should, with his Battalion of Minute Men, immediately march for that purpose, and that the following Letter should be written to Colonel Preseton Sir, &c. a Copy whereof is filed and ordered to be recorded.

Ordered, That the Declaration of Independence be solemnly proclaimed at four o'clock in the afternoon on Thursday next at the Capitol in the City of Williamsburg, also at the Court of Hustings, and at the Palace; that the Mayor of the said City be made acquainted therewith and requested with the Corporation to give their attendance.

Also that the Commanding Officer of the Continental Forces be informed thereof and desired for the Army to parade on that occasion.

Tuesday July 23^d 1776.

A Letter of Credit in favour of Colonel William Aylett was written to the Honourable Virginia Delegates in Congress.

Thomas Nelson, Esquire, appeared in Council and qualified as Secretary of this Commonwealth pursuant to appointment of General

The South Carolinians had destroyed the lower Cherokee towns near the head of the Savannah River, and had several sharp fights.

"In July the two hundred Georgians, under Col. Samuel Jack, had destroyed two towns at the head of the Chattahoochee and Tugaloo Rivers.

"The Virginia forces, after rendezvousing at the Long Island of Holston, followed the well known Indian war-path at the crossing of the French Broad, near the mouth of what is known as Dumplin Creek, and proceeded onwards to the towns on the Little Tennessee. The Island Town, the last point reached in the reports as far as here published, was about thirty miles from the present Knoxville, somewhat to the west of south. Not long after the date of Christian's last letter, printed above (V. H. M. XVII, p. 52, *seq.*) the Cherokees begged for peace. This was granted on condition that all prisoners and captured stock were given up, and that as soon as the representatives of the tribes could meet in the spring all the disputed territory in the Tennessee settlements should be ceded to the whites.

"Mooney (19th Annual report, Bureau of Ethnology) says: 'The effect upon the Cherokees of this eruption of more than six thousand armed enemies into their territory was well nigh paralyzing.***** From the Virginia line to the Chattahoochee the chain of destruction was complete.'

"For accounts of these campaigns see Mooney, as above: Ramsey's 'Tennessee', pp. 150-159, and other authorities cited in Mooney's 'Myths of the Cherokees', 47-53."

On July 22 Congress Resolved, That it be recommended to the states of Virginia, North Carolina, and Georgia, to afford all necessary assistance to the state of South Carolina, and to co-operate, with that State, in prosecuting the war against the Indians with the greatest vigour.—"Journals of the Continental Congress", Vol. V, p. 616.

²²Col. Charles Lewis was son of Robert Lewis, of "Belvoir", Albemarle County. He was captain of the first volunteer company raised in the county at the beginning of the Revolution, and after commanding in the minute men during the "Cherokee Expedition", he was on November 12, 1776, commissioned colonel of the 14th Virginia regiment. He served for a time in Washington's army; but resigned March 28, 1778. He was then given command of the regiment guarding British prisoners at Charlottesville, and died while performing this duty, in 1779.

Convention by taking & subscribing the Oath directed by Ordinance to be taken in that Case.

A Letter was written to the Honorable President Rutledge of South Carolina as follows Gentlemen &c. a Copy whereof is filed and ordered to be recorded.

A letter was written to William Ronalds Esquire, Commissary & Paymaster to the Ninth Regiment.

Resolved. That Captain John Crew, of the Sloop John & Miley, be permitted to pass laden with six hogsheads of Tobacco, sixty barrels of Flour, three hundred & twenty nine Bushels of Indian Corn, and two thousand hogshead Staves, to any of the Foreign Islands, allowed by Congress, and to trade at the same, agreeable to the Regulations by them prescribed.

Wednesday July 24th. 1776.

Ordered, That the Commanding Officer at this Station be requested to order the Quarter-Master, to remove the Waggon, Horses &c. from the Palace as soon as possible and that he finish without delay the Fence agreed by the Governor to be the division of the Park between that part wanted for his own use and that allotted for the use of the Public supposed to contain two hundred acres of Land.

Ordered, That the Commanding Officer at this Station be requested to give orders to the Commissary of Provisions immediately to remove himself and Effects from the Palace and that he clean out, and leave the Houses in the same condition in which they were, at the Time of his taking possession of them.

The President informs the Board that during the recess of the Council upon a Letter received from Major General Lee, he applied to Brigadier General Lewis²³ requesting him to send one Ton of Powder to North Carolina towards replacing what had been sent from thence to South Carolina: which General Lewis promised accordingly; and the Board approved what the President had directed.

Ordered, That the public Printer strike off one hundred copies of the Declaration of Independance made by the Honorable Continental Congress.

Ordered that Captain Paul Bascome, of the schooner Polly a square stern Vessel, Burthen twenty Ton, or thereabouts, built in Bermuda, but now in this Commonwealth be permitted to sell the said Schooner to any person, residing in the said Commonwealth, who may be willing to purchase the same.

Dissentient M^r Dandridge, because the above mentioned Vessel appears to be Bermudian Property.

Thursday July 25 1776

Resolved, That John Granberry Master of the Sloop Betsey be permitted to proceed to the Island of Hispaniola with his Cargo consisting of three hundred Barrels of Flour, and that he be allowed to trade at that Port.

²³Fielding Lewis, brigadier-general Virginia Militia, superintendent of the arsenal at Fredericksburg, 1776-1777. Died 1781.

Resolved, That John Middleton of the Schooner Polly be permitted to proceed to Hispaniola with his Cargo consisting of Flour & Corn & that he be allowed to trade at that Port, he having given Bond and security to comply with all Regulations made by Congress.

Friday July 26th 1776.

Whereas from a Letter received from the Honorable Cornelius Harnett Esquire President of the Council of Safety of North Carolina dated the 21st of this month there appears to be some probability that the Cherokees entertain a Design of cutting off the Persons employed at the Lead Mines: it is ordered therefore that the County Lieutenant of Fincastle²⁴ receive instructions to raise a Stockade Fort for the Defence of the said Mines; and to Garrison the same with twenty five men under the Command of a Subaltern which may be sufficient to prevent the bad Consequences of surprize.

A Letter was written to Colonel William Russell²⁵ as follows. Sir &c. Also a Letter to the County Lieutenant or Commanding Officer of the Militia of Fincastle County; as follows Sir &c. And another Letter was written to the Honorable Cornelius Harnett Esquire, President of North Carolina Council of Safety, as follows Sir &c. Copies of all which Letters are filed and ordered to be recorded.

A Letter was written to Colonel James Calloway as follows Sir &c. Also a Circular Letter was written to the Lieutenant Colonel of sundry Counties as follows Sir &c. And a Letter to Colonel William Preston²⁶ as follows Sir &c. Copies whereof were filed and ordered to be recorded.

²⁴Fincastle County was named after George, Lord Fincastle, eldest son of the Earl of Dunmore. In 1777 the county was divided into Kentucky, Montgomery and Washington. See Hening's "Statutes at Large," Vol. IX, 257-261. See also Virginia State Library Bulletin, Vol. IX, No. 1, by Morgan P. Robinson.

The town of Fincastle, Virginia, was named after Lord Botetourt's country seat in England.

²⁵William Russell, son of Col. William Russell, was born in Spotsylvania Co. in 1735. Educated at William and Mary College, served as a captain in the French and Indian War, and in 1770 removed to Southwestern Virginia. He was actively engaged in exploration and in the protection of the frontier. Appointed colonel of the 13th Virginia on Dec. 19, 1776, transferred to the 5th Va, September 14, 1778; taken prisoner at Charleston May 1, 1780, exchanged Nov. 1780, and served to Nov. 3, 1783; brevet brig. gen. Nov. 3d, 1783. Died Jan 14th, 1793.

²⁶Preston, a man of education and methodical habits, kept the letters received by him and copies of those written by him, and other papers of importance, including some that he had collected—in the main, it is probable, from his uncle, Col. James Patton—bearing on matters happening as far back as 1730; and all these, known as the "Preston Papers", the great majority of them being in the Wisconsin Historical Society Library, taken there by Dr. Lyman C. Draper, but some of them, and these of importance, in the Virginia State Library, constitute a very important source of information for the history of Virginia from 1755, when Preston became captain of a company of rangers, to 1783, when he died. Those of the papers in the Virginia State Library, or the great majority of them, have been published in the *John P. Branch Historical Papers of Randolph Macon College*, No. 3 of Vol. 4 (June 1915), with a sketch of Col. Preston by R. B. Marston. A

PRESIDENT PAGE TO THE NORTH CAROLINA COUNCIL
OF SAFETY.²⁷

(From "Colonial Records of North Carolina," Vol. X, pp. 671, 672.)

W^msburg July 26th 1776.

Sir,

On your first application for Lead, we directed our manager to deliver two Tons to Mr. Lock, or your Order; and receiving a second Letter requesting five Tones, we ordered that all the Lead w^{ch} was not immediately wanted for the use of our own Troops on the Frontiers should be delivered to him. On the first Intimation of the hostile Disposition of the Indians, we sent up an Express to give Directions for the necessary Preparations for an Expedition against the Over-hill Cherokees. Our first Plan was to send 900 men; but on receiving your last Letter now before us, we thought proper to consult Col. Stephen,²⁸ who had served on an Expedition against these Towns in the last war, & his advice we have adopted, which is to send out immediately 1200 Men from Virginia, & to desire about 300 from the Frontiers of your State, most convenient to ours, as the Colonel supposes that the Forces from S^o & N^o Carolina will easily force the Indians of the lower Towns & middle settlements to abandon them, and that they will then retire to the Over-hills joining their whole Force, which with their Confederates may be very considerable, & would make a formidable attack on the Troops on Holstan River. Assistance is required from you in that Quarter, as numbers of our regular Troops in the Continental Service were drawn from thence. The Place of Rendezvous for your Troops to be at Stalnackers or Holstein. The Distance between the lower Towns & Over-hills is so great that it is impossible to get any Intelligence from, or keep up any Correspondence between the Forces acting in those

calendar of those in the Wisconsin Society Library has been published, with a calendar of the other Virginia manuscripts in that library, as Vol. 1 of the "Calendar Series of the Publications of the State Historical Society of Wisconsin", under the title of "The Preston and Virginia Papers of the Draper Collection of Manuscript" (Madison, 1915). Both these sets of papers have been very largely printed in the three volumes edited jointly by Dr. Reuben Gold Thwaites and Dr. Louise Phelps Kellogg and listed in the bibliography appended to the published memorial address on Dr. Thwaites delivered by Dr. Frederick Jackson Turner on December 19, 1913, as follows: "Draper Series. Madison & Oshkosh, Wis., 1905-12. 3 V. Edited jointly with Louise Phelps Kellogg. (1) Documentary History of Dunmore's War, 1774, 1905. (2) The Revolution on the Upper Ohio, 1775-1777, 1908. (3) Frontier Defense on the Upper Ohio, 1777-1778, 1912. Compiled from the Draper Manuscripts in the library of the Wisconsin Historical Society, and printed at the charge of the Wisconsin Society of the Sons of the American Revolution."

The volumes are very fully annotated. Whenever a name appears for the first time in the documents, a note containing, usually, an adequate short sketch of the career of the bearer of the name is given. The three volumes constitute a veritable mine of biographical information as to the actors in the events set forth.

²⁷The answer to this letter will be found in "Colonial Records of North Carolina" Vol. X, p. 680.

²⁸Adam Stephen, colonel 4th Virginia 13th February, 1776. See *infra*.

Parts, as we once flattered ourselves might be done. We shall do all in our Power to lay in Provisions & Ammunition, but without assistance from you we shall be extremely distressed for want of Salt. We beg therefore that you will please to send us as much of that article as you can possibly procure & spare. The Mode of Payment shall be settled when we can receive your advice on that Head. His Excellency our Governor is not yet able to attend to Business, or he would have returned you many thanks for your kind Congratulation on his Appointment. I have the honor to be Sir

Your most obed^t H^{bl}• Serv^t

(From Journal of the Council.)

Saturday July 27th 1776.

It being represented to this Board that the two Companies of Colonel Lewis's Battalion of Minute Men²⁹ now stationed at James Town are so sickly that they are incapable of Duty, not having well men enough event to mount Guard, and they having applied to Messers Nicholas Cabell³⁰ and Abraham Penn³¹ their Captains-for leave to go Home for the Recovery of their Health; Ordered therefore that the said Companies be permitted so to do and that Colonel Woodford,³² or the Commanding Officer be requested to give the Orders necessary on this occasion,

The Council taking into Consideration that the Time the first and second Battalions of Continental Troops raised in this Colony engaged to serve is near expiring, and that it will be necessary to reinlist the said Troops or recruit others in their stead. And being of Opinion that the present Circumstances of the Country affords a better opportunity of effecting the desirable purpose than may offer when the Time for which the said Troops were enlisted expires, as the best means of engaging the said Troops to continue in service- Recommend to the Commanding Officer to give Instructions to the Captains of the several Companies in the said Battalions forthwith to call upon their men and use all proper means in their power to reenlist them for three years, on receiving the bounty of ten Dollars offered by the General Congress and to agree

²⁹On June 22 the Committee of Safety had *Ordered* that Colonel Charles Lewis do forthwith march four Companies of the minute men of his Battalion near this City to the Camp before Gwyns Island in the County of Gloucester, and the other Company to Burwells Ferry, and that the other Companies of his Battalion as they shall arrive at Head-quarters do forthwith march to the following stations, to wit; two Companies to Burwells Ferry, three to James Town and two to the North side of Pianketank in Middlesex to relieve the two Companies at present stationed there. And it is ordered that the three Companies of the first Battalion now near this City do forthwith march to Hampton, and that Col. Meredith be desired to march four other Companies of the said Battalion, as soon as they arrive at this place to Hampton, and the four remaining Companies to York Town.

³⁰Nicholas Cabell, of Amherst, in command of a minute company.

³¹Abraham Penn, captain militia, 1776; colonel, 1780-1781.

³²William Woodford, colonel 2d Virginia 13th February, 1776; brigadier-general Continental Army, 1777; wounded at Brandywine; taken prisoner at Charleston, 12th May, 1780, and died in captivity.

to give furloughs to such of the said Troops as desire it, for such reasonable time as the Service will admit of, and in case the said Troops can not be prevailed on to serve longer to give discharges to all such as desire it without any advanced pay; and take proper Steps to recruit others in their Stead.

A Letter was written to the Honorable Virginia Delegates in Congress as follows, Gentlemen &c. Also a Letter to the Honorable John Hancock President of the Congress as follows, Sir &c. Copies whereof are filed and ordered to be recorded.

JOHN PAGE, LIEUTENANT-GOVERNOR, TO JOHN HANCOCK,
PRESIDENT OF CONGRESS.

(Letters of John Page in Cont. Congress Papers, 71, Vol. 1)

Williamsburg July y^e 27th 1776

Sir

We had the honour to receive your Letter of 16th inst^t by Express inclosing 2 Resolutions of Congress, one respecting the taking the Forts & Garrisons on our Frontiers (o)n the Continental Establishment, & the other desiring, that a Quantity of Lead should be sent from hence to Philadelphia. The Convention is not sitting but we cannot doubt that it would highly approve of the former Resolution, as to the latter We have sent off an Express to the Lead Mines ordering a large number of Hands to be immediately hired, to assist those already employed there, by this means it will not be long before we shall be able to furnish the 20 Tons you require- but at present we have had such demands for Lead from North Carolina, & our Frontiers, on account of an Indian War in which we are at present engaged, that it is impossible to procure any for you, til more can be extracted from the Ore- We have not in our public Magazine 2 Tons of Lead & Ball, & our Cruizers are not yet furnished with that Article, so that it will not be in our power to send any from hence; however Sir we hope to procure you a Ton or two, but even this we almost doubt of, since we have Reason to believe that the Lead which our Delegates have sent to Fredericksburg for, will be all given out to the Cruizers on 'Rappahannock, or the Militia now out on the Alarm spread by the Enemys Fleet in their Neighborhood- We have inclosed you Sir a Copy of a Letter from the President of South Carolina, & another from General Lee with one from the President of the Comm^{ee} of Safety of North Carolina, inclosing a Letter from Brigad^r Rutherford³³ from which Letters, you will see how unavoidably we are engaged in an Indian War, & may judge how extensive it may prove if the Creeks & other Nations bordering on the Cherokees should join them- We did not hesitate a moment to adopt the plan recommended by the President of Carolina & Gen^l Lee- and have ordered 1200 Men to be immediately raised, & march^d into the Over Hill Towns, but this force is we fear by no means sufficient if the other Indian Tribes should join against us.

³³Griffith Rutherford, brigadier-general N. C. Militia; wounded and taken prisoner at Camden; exchanged 14th June, 1781.

We are by the Indian War daily incurring many & heavy expences which we humbly conceive must be a Continental Charge.

Written by order of Council -

I have the honour to be Sir

Your most obed^t

h^l • Serv^t

JOHN PAGE Presid^t

[Addressed:]

To

The hon^{bl} • John Hancock

President of the Congress

in

Philadelphia

[Indorsed:]

A Letter from the Council of Virginia July 27. 1776 read 5 Aug.

(From Journal of the Council.)

Monday July 29th 1776.

It being represented to the Board that the Troops, Stationed at Gwyns Island, by Brigadier General Lewis, are now in his absence suffering greatly from the Drouth, but that the present Commanding Officer though sensible of this, is unwilling to make any alterations in the Orders of the General without the Recommendation of the Council.

Ordered therefore that it be recommended to the said Commanding Officer to remove the Troops to the nearest place where they may be supplied with good water and be otherwise conveniently accomodated.

Ordered, That the Muskets in the Magazine, which are not fit for use, and cannot be immediately repaired in this City, be sent up to the Manufactory at Fredericksburg to be put into the best order with all possible dispatch, and sent down by the first opportunity, or delivered out according to the order of this Board.

Tuesday July 30th 1776

It appearing by a Letter from the Honorable the Virginia Delegates at Congress dated June 25th 1776- that the Ninth Battalion was taken into Continental Pay from the 31st May last, and also by Letters from M^r Ronald Contractor and Paymaster of the said Battalion, that the Men of that Battalion are greatly in want of Pay due them, and the said Contractor of Money to purchase Provisions, it is ordered that the same be signified to the Commanding Officer of the Continental Troops, and that he be requested to give his Warrant on the Continental Treasurer for the sum of three thousand two hundred pounds.

A Letter was written to M^r William Ronald Contractor and Paymaster of the Nineth Battalion as follows Sir &c. Also a Letter to M^r Samuel S. McCroskey Chairman of the Committee of Northampton County as follows Sir &c. Copies whereof are filed and ordered to be recorded.

Wednesday July 31st 1776.

A Letter was written to Colonel Charles Lewis now at Newcastle, requesting him to march immediately with such part of his Battalion as is now there, to their respective Counties; to discharge such as are unfit for an Indian Expedition & recruit others in their stead.

Thursday August 1st 1776.

The Members present taking under their Consideration the proceedings of the Committee of Safety with respect to their Direction for building six Row-Gallies for the purpose of Transporting Troops across the Rivers pursuant to a Resolution of General Congress, find that the said Committee had empowered Persons upon James, York and Rappahannock Rivers to provide Materials for building the same; but as this Board do not know what progress may have been made therein, and do not look upon themselves as Competent Judges of Naval affairs are of Opinion that the Commissioners of the Navy be requested to take this Business under their Consideration, and carry the said Resolution of Congress respecting the said Row- Gallies into Execution.

[On the margin is written- Six Continental Row gallies]

It appearing that the Public Treasury is at present in an exhausted state, owing to the delay in getting ready the Dollar Bills lately ordered by Convention to be struck, and that there is a considerable sum of Continental Money deposited with the Treasurer by the Congress for the purpose of exchanging the same for Gold and Silver which on Trial is found to be impracticable, Ordered therefore that the Treasurer be requested to pay any Warrants which may be drawn by this Board or the Navy Board during the present situation of the Treasury, out of said contributed money to be replaced hereafter; and that he be informed at the same Time; that the Council will issue as few warrants as may be, until the Treasury can be restored to a better Condition.

Letters were written to the following Persons viz. Colonel William Christian, Colonel William Russel, Colonel William Preston and Thomas Madison³⁴ Esquire. Copies whereof are filed and ordered to be recorded.

Thomas Everard,³⁵ Joseph Prentis, and John Tyler³⁶ Esquires having sent their several resignations in writing of their Offices as

³⁴Capt. Thomas Madison, of Botetourt County, had charge of all the military stores and pack horses on the Cherokee expedition. After the war he was a member of the Council of State (1789-90), of the House of Delegates, and was appointed a general of militia. He married Susanna, sister of Gov. Henry.

³⁵Clerk of the Court of York, before the Revolution.

³⁶John Tyler, son of John Tyler who had long been marshal of the Vice Admiralty Court of the Colony, was governor of Virginia from 1808 to 1811. He was the father of John Tyler, President of the United States.

Judges of the Court of Admiralty; William Holt,³⁷ George Seaton, and William Armistead are appointed Judges of the said Court.³⁸

Ordered that the Keeper of the Public Magazine at New Castle deliver to Colonel Charles Lewis or order, One Ton of Gun-Powder for the use of the Forces sent on the Expedition against the Cherokees.

Ordered That a Commission issue appointing William Christian Esquire, Colonel of the first Battalion, and Commander in Chief of all the Forces raised and to be raised to go on an Expedition against the Cherokee Indians. Also a Commission appointing Even Shelby Esquire Major of the said Battalion.

INSTRUCTIONS to Colonel William Christian, Commander in Chief of the Forces on the Expedition against the Cherokees.

Sir,

When your Battalion and the Battalion under Colonel Charles Lewis are compleated you are to march with them and the Force under the Command of Colonel Russel and such others as may join you from Carolina into the Cherokee Country, if those Forces shall be judged sufficient for the Purpose of severely chastising that Cruel and Perfidious Nation, which you are to do in the manner most likely to put a stop to future Insults and Ravages and that may redound most to the honour of the American Arms. If the Indians should be reduced to the Necessity of suing for Peace you must take Care to demand and receive of them a sufficient Number of their Chiefs and Warriours as Hostages for the Performance of the Conditions you may require of them- You must insist on their delivering up all Prisoners, who may chuse to leave them and on their giving up to justice all Persons amongst them who have

³⁷William Holt, mayor of Williamsburg, formerly a justice of York.

³⁸"The Provincial Convention, in its December session, in 1775, erected a Court of Admiralty, consisting of three judges, to enforce the Continental Association against trading with England. In its May session in 1776, it gave this court jurisdiction over all captures of the enemy's vessels. The General Assembly, at its October session in 1776, superseded all previous admiralty legislation by an 'Act for Establishing a Court of Admiralty'. Such court was to consist of three judges, elected by joint ballot of the two houses of the General Assembly. The judges were to hold their offices for so long time as they shall demean themselves well therein. The court, which was to be held at some place to be fixed by the General Assembly, was to have cognizance of 'all causes heretofore of admiralty jurisdiction in this Country'. Its proceedings and decisions were to be governed by the regulations of the Continental Congress, the acts of the General Assembly of Virginia, the English statutes prior to the fourth year of the reign of James, and by the laws of Oleron and the Rhodian and Imperial laws, so far as they have been heretofore observed in the English courts of admiralty. In cases which related to captures from a public enemy with whom the United States should be at war, and in which a conflict should arise between the regulations of Congress and the acts of the General Assembly, the regulations of Congress should take precedence; and in all other cases of conflict, the acts of Virginia were to prevail. This provision is of particular interest. It is one of the first instances in which a state recognized the superiority of federal law when in conflict with state law." Paullin's "The Navy of the American Revolution", pp. 403-404.

been concerned in bringing on the present war particularly Stewart, Cammeron and Gist, and all others who have committed Murders or Robberies on our Frontiers- You may require any other Terms which the Situation of affairs may point out and you may judge necessary for the Safety and Honour of the Commonwealth- You must endeavour to correspond with the Commanding Officer of the Carolina Forces and cooperate with him; making your Attack as near the Time of his as may be. -You are from Time to Time to write to his Excellency the Governor giving him a full Account of all your Operations and requiring his further Instructions.

Instructions to Colonel Charles Lewis of the Second Battalion of Minute Men

Sir

You are to order the Captains under your Command to march their Companies to their Respective Counties there to discharge such of their Men as are not properly qualified to serve on an Expedition against the Indians and to raise with all possible Dispatch in their stead the best recruits that can be found for that service, and having so compleated their Companies to repair to the Big-Island, on Holstein River in Fincastle County the place of general rendezvous.

PRESIDENT PAGE TO THE NORTH CAROLINA COUNCIL OF SAFETY.

(From "*Colonial Records of N. C.*," Vol. X, p. 729.)

W^msburg, August y^e 1st 1776.

Sir,

We have been endeavouring to make every Preparation necessary for the indian Expedition, but before a single Man could march from the Battalions below, or the Counties from which we had ordered them out, the Cherokees & Creeks made an Irruption into Fincastle County on Holstein murdered several Women & carried off some children- upon which a Party of Militia 170 in Number marched out in quest of the Savages & on the 20th ulto fell in with an equal Number of Indians whom they attacked & totally routed, killing on the spot 13 without losing a man- we took a great number of Guns, & it is supposed that near half of them were killed or wounded - as our men fought with great Calmness & Intrepidity. The attack was begun by our Scouts who fell in with the Indian's Scouts, & beat them back, when the Ground being disadvantageous to our Men they thought it best to retire to a breast work they had thrown up not far from the Place; whilst they were on their way to it, the Indian with their whole Force fell on our Rear which bravely withstood their shock- our whole Force was soon drawn out in a Line, & after an obstinate Engagement totally routed the Enemy- I have given you an imperfect but true Account of this Affair written with great haste that I may not detain the Express who happened to be passing through this Town on his way to Cha^s Town. I could not refrain from doing this, as I could wish that you would

always lay hold in the same Manner of every opportunity to forward to us any Intelligence you may think worth communicating- Excuse my Haste, & my not being able to be more particular.

I am Sir with great Respect

Your most obe^{dt} h^{ble} Serv^t

JOHN PAGE.

P. S. We have certain Intelligence by a Person who made his escape from the Cherokee Town that they were marching 600 Men into our Frontiers (that the Party above mentioned was a Detachment from that army) that they had in the different Towns 2400 fighting Men- that the Creeks had joined & 15 Northern Tribes.

J. P.

(From the "Virginia Gazette," August 2, 1776.)

We have the pleasure to inform the publick, that our worthy GOVERNOUR, who is now at his seat in Hanover, is so much recovered from his late severe indisposition that he walks out daily, and it is hoped will soon be able to return to the seat of government, to attend the duties of his high and important office.

(From Journal of the Council.)

Friday August 2^d 1776.

The Rules for the Regulation of the Navy of the Commonwealth of Virginia, laid before the Privy Council by the Commissioners of the Navy Board were also read and approved.

William Holt and George Seaton Esquires, this day qualified as Judges of the Court of Admiralty, by taking the oath of Office.

Saturday August 3^d 1776.

A Letter was written to the Honorable John Hancock President of the Congress as follows Sir &c. A Letter was also written to the Virginia Delegates at Congress Gentlemen &c. Copies whereof are filed and ordered to be recorded.

It appearing to this Board that William Lux esquire of Baltimore, had paid the Sum of Six hundred and eleven pounds & five shillings on account o^f this Commonwealth for the Freight of sixteen thousand and three hundred weight of Gunpowder lately imported at the Eastern Shore. Ordered that a Draft be transmitted to the said Wililam Lux on the Virginia Delegates at Congress, to repay him that sum of money amounting to one thousand six hundred and thirty Pennsylvania Dollars and a Letter was written for that purpose & ordered to be recorded.

JOHN PAGE TO THE PRESIDENT OF CONGRESS.

(*"American Archives," Fifth Series, Vol. I, p. 736.*)
(Read August 12, 1776.)

Williamsburgh, in Council, August 3, 1776.

Sir: We have your letter of the 22^d ultimo before us, written to his Excellency the Governour, informing him of a resolution of Congress directing General Lewis to order two battalions from Virginia to join the Flying-Camp under Brigadier Mercer,³⁹ in New-Jersey, and that the Congress had resolved to take an equal number of Minute-men, or Militia, on Continental pay, should an invasion be apprehended. We must observe, sir, that from the dispersed situation of our troops, the number of navigable rivers, exposing our country to the ravages of the enemys fleet, the great demand of men and arms on our frontiers, on account of the Indian war, and from the present state of General Clinton's Army near Charlestown, which we conceive might be employed to greater advantage here, we have reason to apprehend an invasion, and have therefore ordered a number of Minute-men and Militia into duty, to supply the want of our two regiments ordered to the Jerseys. We look upon them, however, as very inadequate to that purpose, and beg leave to refer you to a letter written on this subject to our Delegates.

I have the honour to be sir, your most obedient, humble servant,
JOHN PAGE, President.

To the Honourable John Hancock, Esq.

PRESIDENT JOHN PAGE TO THE PROVINCIAL CONGRESS
OF N. C.

(*From "State Records of N. C.," Vol. XI, p. 338.*)

Sir,

We received your favor of 1st instant and congratulate you upon the success of your people agst. the Indians- Since our last to you, which you will receive herewith, we are told that a Body of Indians supposed about 200 had established their Head Quarters on Nolicukey about 30 Miles West of our Frontiers, and that Genl Rutherford was gone with a Detachment of 300 men to attack them.-

Col^o Long⁴⁰ is just arrived from Wilmington, and informs us that an Express arrived there from Gen. Lee a day or two before he left that place, informing Gen. Moore⁴¹ the greatest part of the Transports and some of the men of war which lay before Sullivan's Island had gone over

³⁹Hugh Mercer, colonel 3d Virginia, 13 February, 1776; brigadier-general Continental Army, 5th June, 1776; died 12th January, 1777, of wounds received at the Battle of Princeton, 3d January, 1777. Provision was made for his orphan, and a monument voted by the Continental Congress.

⁴⁰Nicholas Long, of N. C., colonel, deputy quartermaster-general Southern Department, 7th May, 1776.

⁴¹James Moore, of N. C., brigadier-general Continental Army, 1st March, 1776; died 9th April, 1777.

the Bar, and that some Deserters from the British said it was the general opinion among the Saylor's that the Army and fleet were bound for N. York.

We return you our thanks for the Intelligence which you are pleased to communicate to us, and shall not fail to communicate to you all Advices, coming to us, that may be essential to the Good of the Common Cause.

We have the honor etc.

JNO. PAGE.

(From Journal of the Council.)

Monday August 5th 1776.

It appearing to this Board that the Soldiers of the first Regiment are reenlisting to serve for three years and with a Commendable Spirit have agreed to march to the support of our Friends of New York and that there are some Vacancies in that Regiment which might be supplied if the Officers were permitted to recruit out of the Minute Men now on duty. Resolved therefore that such Minute Men on actual service as are willing to enlist for three years in the said first Regiment be permitted so to do, the consent of their Commanding Officers being first obtained.

Tuesday August 6th. 1776.

Ordered, That a Letter be writ to Colonel Thomas Fleming⁴² of the Ninth Battalion on the Eastern Shore to have the Ten thousand weight of Sulphur which was some time ago imported for the use of this Government, sent over to this Shore. Part of it being wanted for the purpose of making Gun-powder for the Indian Expedition, in the room of some bad Powder already sent. Also a Letter to the Reverend M^r John Dixon, for what Salt he may have made to be sent on the same Expedition.

Ordered, That the Keeper of the Magazine deliver out one thousand weight of powder, and Two thousand Flints to be sent to Colonel William Christian, for the same Expedition.

Ordered, That it be recommended to Brigadier General Lewis to provide Barracks for the Continental Army stationed here to be built on that Part of the Park, which the Governor lately gave up for the use of the Troops; as a Measure, at once more agreeable to the Inhabitants of Williamsburg, and in the Opinion of this Board less expensive to the Continent than renting of Houses for that Purpose.

A Letter was written to Colonel William Christian as follows Sir &c. Also a Letter to Colonel William Preston as follows Sir &c Copies whereof are filed and ordered to be recorded.

Ordered, That a Circular Letter be writ to the several Colonels of the Minute Battalions of the Southampton Amelia, Caroline, Gloucester, Prince William & Culpeper Districts, requesting them to order all the Companies of their respective Battalions which are furnished with

⁴²Thomas Fleming, colonel 9th Virginia, 2d March, 1776; died 30th January, 1777.

good Musquets, Guns, or Rifles, Cartouch-Boxes, or Pouches and Powder-Horns, immediately to hold themselves- in Readiness to march whenever called upon; in order to replace the Regiments of Continental Troops ordered by the General Congress to the Flying Camp in New Jersey and that if any such Company should not have been already compleated, that that be done as soon as possible, informing them at the same Time, that no Men who are not so accounted will be intitled to Pay; and requiring them immediately to inform the Board what Number of Men may be expected from their several Battalions.

Ordered That the Treasurer be requested to lay before this Board a State of the several Sums of Money paid into the Treasury, and arising from the Sales of Vessels and their Cargoes taken by the Captains Innes and Richard Baron.

Instructions to Captain Lilly,

Sir,

You are to proceed with the Brigg Liberty⁴³ under your Command to Hampton Road or wherever Captain James Cocke is to join him and Captain Calvert of the Row Galley to act in conjunction with them against the Enemies of America if such Junction shall be judged necessary or separately as you may think best. You are to protect and defend all our Friends to whom it may be necessary and in your power to afford protection and to take, sink, or destroy all Vessels belonging to the Enemies of America. As your Cruiser was fitted out principally for the protection of York River, Vessels trading in that River, and the Inhabitants of its Shores should be Objects (of) your peculiar Attention- The Same Instructions are intended for Captains Travis and Deane- It is left to your Discretion when and in what manner to engage the Enemy.

Wednesday August 7th 1776.

A Letter from Henry Tazewell⁴⁵ Esquire of the County of Brunswick, relative to the proceedings of the Council of Safety for North Carolina in seizing a Gentleman of reputation of that County, with an armed force, and carrying him into that Government, under suspicion of his being concerned in counterfeiting their paper Bills of Credit, was received, considered, and answered. A Duplicate of which answer is filed and ordered to be recorded.

⁴³For an account of the exploits of the *Liberty*, see "Virginia Historical Register", I, p. 76 *et seq.* Capt Barron stated that the ship made twenty captures in the course of the war. *Southern Literary Messenger*, 1857.

⁴⁵Henry Tazewell (1753-1799) was in the public service from the time he finished reading law at the College of William and Mary. He promoted, during his service in the Assembly, the abolition of primogeniture and entail, and the separation of church and state. In the Convention of May, 1776, he was one of the committee that reported the State Constitution and the Declaration of Rights. From 1785 to 1793 he was a judge of the Virginia General Court, and, in 1793, of the Supreme Court of Appeals. In 1795 he was president *pro tem.* of the United States Senate, in which body he sat from 1794 until his death.

Thursday August 8th 1776.

Resolved, that a Surgeon and two Mates, exclusive of the Surgeon in Col^o Lewis's Battalion, be allowed to the Forces employed against the Cherokees to be chosen by the Field Officers and Captains of the same.

PRESIDENT PAGE TO THE NORTH CAROLINA COUNCIL
OF SAFETY.

(From "*Colonial Records of N. C.*," Vol. X, p. 736.)

In Council, W^msburg, Augst 8th 1776.

Sir, We are much obliged to you for so readily complying with our Request to send 300 men to join our Forces, & are in great Hopes that they will be fully sufficient to chastise the Savages, as our Troops when joined by your's should amount to 1750.

We must also acknowledge the Obligation we are under to You for sending 50 Bushels of Salt with your Detachment; that Quantity with what we may be able to procure, will, we hope, be sufficient.

We Thank You for the Intelligence You give us from Charles Town, & think it not amiss to inform you, that as there was a Report at New York, that Gen^l Howe had sent a Re-inforcement to Gen^l Clinton, it is suspected that the Fleet is bound to N. Carolina or Virginia, & not to New York as was supposed at Charles Town.

Lord Dunmore, with his Fleet in two Divisions, has just left our Capes;⁴⁶ one of which steered to the Southward, the other with a fair Wind to the Northward.

It gave us, Sir, great Concern, when we read that Part of your Letter of the 30th ult, respecting your having apprehended sundry Persons in this Commonwealth suspected of counterfeiting your Paper Currency; and it is with y^e greatest Reluctance we even mention the Subject, as it requires the utmost Delicacy in the handling of it. The Steps you have taken have already produced great Uneasiness & considerable Warmth in one Part of our Country, a Complaint having been lodged with us on that Occasion. We see, Sir, the Necessity of endeavouring to put a speedy Stop to the pernicious Practice of counterfeiting our Paper Currencies, & will exert every Power with which we are invested, to apprehend any Persons concerned therein. But, we could wish upon all such Occasions, that Application should be made to the Governor & Council for Authority to apprehend the Offenders; which we consider as the only regular Method, and as efficacious as that which You have adopted. We know not whether the Charge against the Persons Apprehended is for what is supposed to have been done in North Carolina, or in this Country, in the latter Case, we conceive they could not be tried by your Laws, but ought to be sent here for that Purpose. If that should be done, we wish to receive all the information which may be necessary for carrying on the Prosecution.

⁴⁶See *Virginia Gazette*, August 9, 1776, for notice of departure of Dunmore's ships, with many Loyalists and slaves.

We shall, by no means suffer anything you have done thro' Zeal for the Common Good to excite any Jealousies in our Breasts to your Prejudice, & hope the measures we now recommend will effectually prevent all future Uneasiness in either Country.

We are highly obliged to You for sending us Shadrack Kennebrew's Deposition. Benjamin Woodward is removed to Dinwiddie Jail, to be examined according to Law. Nothing can be got from him which can be of any Use to you; but any Information we may hereafter procure shall be sent you.

I have the Honour to be,

Your most obed^t Servant,

(Signed by Order of Council).

JOHN PAGE Presd^t

(From Journal of the Council.)

Friday August 9th 1776

The Board having received information that M^r John Ball late of the County of Northampton, is going to reside in the Island of Hispaniola, and having received strong recommendation of him as a proper person to negotiate any business this Commonwealth may have to transact there. Resolved that he be appointed Agent to transact any matters of that sort which may hereafter arise and may be intrusted to him by this board, and the President is desired to acquaint him therewith, and instruct him to notify his arrival at Hispaniola to this Board, by the first opportunity.

The Board having received information of the arrival of Captain Pasture, at Hampton, with 7500 lbs of Gun powder, consigned to this board by Mess^{rs} Vanbiber and Harrison⁴⁷ of Saint Eustatia.⁴⁸ Resolved, that Captain Pasture be instructed to leave one thousand weight of the said powder at Hampton, for the use of the Troops on that Station, and that Captain James Barron carry one thousand weight to Portsmouth of such as he may judge proper for Cannon for the use of the Garrison there. Also that the residue of the said Powder be brought to Jamestown by Capⁿ Păsture.

Information was made to the Board by Captain Barron, that the Commissioners of the Navy having appointed a person to victual the

⁴⁷Letters from Van Bibber and Harrison may be found in V. H. M. XVI, p. 163 *seq.*—An account with Richard Harrison, V. H. M., XVIII, p. 63. See also letters in *Tyler's Quarterly*, Vol. I.

⁴⁸During the Rev. War the Dutch Island of St. Eustatia was to the new-born U. S. what Nassau was to the Confed. States during Civil War. The letters show the great importance of the military and other supplies which the Americans obtained from the same source. It is difficult to see how the contest could have been carried on without them. In 1781 the English admiral, Rodney, captured St. Eustatia and confiscated goods in the hands of merchants of many nationalities of immense value. It was thought that this would be a severe blow to the U. S.; but as most of the confiscated goods were sold by auction, it is stated that they were eventually obtained by the Americans at lower rates than they could have been if the trade with St. Eustatia had not been interrupted. V. H. M.

Fleet the Commissary of provisions had refused to supply them any longer, and that the Agent Victualler is not yet ready to enter upon the duties of his office, Ordered therefore that the said Commissary continue to supply the Fleet, till that can be done by the Officer appointed by the Navy Board.

A Letter was written to Brigadier General Lewis, desiring him to send orders by Express to disband the Minute Men and Militia, lately drawn into service in the Northern parts of this Country, as the Departure of the British Fleet renders it unnecessary to keep them longer in service, and informing him that the Council will immediately agreeable to his request, raise one Battalion at least of minute men, to be placed at York in room of the Troops, which the General is to draw from thence by orders of Congress; which Battalion of Minute Men are to be raised in such parts of this Country, as it may appear most prudent to call them from.

The Council resumed the Consideration of the State of this Country, and reflecting that from various appearances there is great reason to expect an Invasion, are of opinion that the Country should be placed nearly in the same Posture of defence, as before the late Resolution of Congress for ordering two Battalions to the Northward. And it is therefore Ordered that two Battalions of Minute Men be forthwith raised with all possible expedition, and that a number of minute men equal to that of the two Battalions of regulars ought in the opinion of this Board to be taken into Continental pay agreeable to the resolution of Congress.

Saturday August 10th 1776.

Agreeable to the Resolution of Yesterday, It is Ordered that two Battalions of minute men, consisting of ten Companies each be immediately called into actual service from the following Districts to wit from the Gloucester District four Companies, from the Caroline District two Companies, from the Culpeper District two Companies, from the Henrico District two Companies, from the Amelia District four Companies, and from the Southampton District four Companies, to supply the place of the two Battalions of Continental Forces which the Congress have laterly ordered to the Northward; Circular Letters were accordingly written to the Colonels of the respective District Battalions afore named a copy whereof is filed, and ordered to be recorded.

It being represented to this Board, that the publick landing at Quarles's Warehouse is a proper place for building Vessells for the public-service,⁴⁹ and that the Warehouses there (at present useless.) are very proper for reception of the Workmen as well as the materials for carrying

⁴⁹"During 1776 and 1777 vessels were built on the Eastern Shore of Virginia, on the Potomac, Rappahannock, Mattapony, Chickahominy, and James rivers, and at Portsmouth, Gosport, and South Quay (Nansemond County). After 1777 vessels were chiefly built at the Chickahominy and Gosport shipyards. No other state owned so much land, property, and manufactories, devoted to naval purposes, as Virginia." Paullin's "The Navy of the Revolution", p. 400.

See also series of articles entitled "The Virginia Navy in the Revolution", *Southern Literary Messenger*, 1857, 14.

on the Work, and necessaries for subsisting the Men, This Board think proper to recommend to the Court of the said County of King William to permit M^r Caleb Herbert and his Workmen to occupy so many of the said Houses as he shall find necessary as long as he shall be engaged in building for the Country, and allow him at the expence of the Publick, to make such necessary additions to the said houses as he may be directed to do by the Commissioners of the Navy.

Ordered, that General George Weedon⁵⁰ of the 3^d Battalion be permitted to apply to the Commissioners of the Gun manufactory at Fredericksburg or to M^r James Hunter for such Arms as they may have already finished for the Publick, upon his delivering as many other Guns which are now in the possession of his Battalion in their room, which Guns are desired to be forwarded to this place without delay for the use of the Marine Companies in York and James River.

Adjourned till next Monday sevensight 9 o'clock

GOV. HENRY TO THE MINISTERS AND DELEGATES OF THE
BAPTIST CHURCHES.⁵¹

(*From Virginia Gazette, Aug. 23, 1776.*)

Aug. 13th 1776.

To the Ministers and Delegates of the Baptist Churches, and the Members of that Communion.

Gentlemen: I am exceedingly obliged to you for your very kind Address, and the favorable sentiments you are pleased to entertain respecting my conduct, and the Principles which have directed it. My constant Endeavor shall be to guard the Rights of all my Fellow-citizens from every Encroachment.

I am happy to find a catholick spirit prevailing in our country, and that those religious Distinctions, which formerly produced some heats, are now forgotten. Happy must every Friend to Virtue and America feel himself to perceive, the only Contest among us, at this most critical and important Period, is who shall be foremost to preserve our religious and civil Liberties. My most earnest Wish is, that Christian Charity, Forbearance and Love may unite all our different Persuasions as Brethren who must perish or triumph together; and I trust that the Time is not far distant when we shall greet each other as peaceable Possessors of that just and equal System of Liberty adopted by the last Convention, and in Support of which may God crown our Arms with Success.

I am, Gentlemen,

Your most obedient and very humble Servant,

P. HENRY Jr.

⁵⁰George Weedon, lieutenant-colonel 3d Virginia, 1776; colonel, 13th August, 1776; acting adjutant-general to George Washington, 20th February, 1777; brigadier-general Continental Army, 27th February, 1777; resigned, 1783. Before the war Weedon was a merchant in Fredericksburg.

⁵¹For the address of the Baptist Association in session in Louisa, signed by Jeremiah Walker, moderator, see the *Virginia Gazette*, August 23, 1776.

(*From Journal of the Council.*)

Monday August 19th 1776.

It appearing to this Board that M^r William Ronald Commissary and Paymaster to the 9th Battalion is in immediate need of Cash, and the account being not yet settled so as to ascertain whether any thing and what is due by this Commonwealth for expences incurred to the time the said Battalion was taken into Continental pay, the Treasury of this Commonwealth being empty and there being a considerable sum in the Continental Treasury. Ordered therefore that it be recommended to General Lewis to give a Warrant on the Continental Treasury to pay Major Innes the sum of two thousand pounds for the use of the said Paymaster, and if upon a settlement of his accounts it shall appear that any part of that sum is properly chargeable to this Country this Board engages to pay so much to the Continental Treasury.

It being represented to this Board that it will be greatly beneficial to the Trade of this Country, and of others of the United States to have the harbours of Gincoteague⁵² and Cherristones on the Eastern Shore of this Commonwealth fortified and that there are some Cannon there for the Purpose, Ordered therefore that Colonel Fleming be desired to fortify the said two Harbours, with all possible expedition, a Letter was accordingly written Col^o Fleming a Copy filed & ord. to be recorded.

Ordered that Lieutenant Benjamin Pollard of the Marines, with his Quota of Captain _____ Company, repair on board the Hero Galley to perform duty and a Commission was delivered him dated this day to continue in force during the present Cruize, or until the General review of the Company and no longer.

The President informed the Board, that he had during the late recess for the dispatch of publick business countersigned sundry Warrants issued by the Navy Board, and also issued several Warrants and permits to persons attending the same.

Ordered that Major James Innes⁵³ be empowered to purchase as many Bayonets as he may think necessary for the use of the 9th Regiment.

Tuesday August the 20th 1776.

Mr. William Armistead having signified to this Board in writing his resignation of the appointment as one of the Judges of the Court of Admiralty, resolved that Bernard Moore Esquire be appointed a

⁵²Chincoteague.

⁵³James Innis, lieutenant-colonel 15th Virginia, 1776; retired, 1778; judge advocate of the army, 9th July to 18th September, 1782. At the beginning of the troubles with the mother country Innis had been dismissed from the College of William and Mary for rallying a band of his fellow students and securing some stores about to be secreted by Lord Dunmore. In February, 1776, as captain of the Williamsburg volunteers, he had marched to the defence of Hampton. In the New Jersey campaign he served as an aide to Washington. In 1780 he was a member of the House of Delegates, but at Washington's solicitation raised a regiment and commanded it at the siege of Yorktown. In the Convention of 1788 he was an ardent supporter of the Constitution. Later he succeeded Edmund Randolph at attorney-general.

Judge of the said Court in the room of M^r Armistead. M^r Moore appeared, and qualified accordingly, by taking the Oath of Office.

On the application of John Warcot Esquire of Georgia, and pursuant to a Resolution of the General Congress of the 5th of July instant, produced this Board. Resolved, that the Officers, from the State of Georgia be permitted to recruit for Soldiers in this State: Provided they do not enlist any regular Soldiers Marines or Minute Men, already engaged here in the Continental Service or the service of this State, or Indented Servants or Apprentices, without first obtaining leave from their Masters. And it is recommended to the several County & Corporation Committees to afford them all possible assistance, as the Soldiers about to be enlisted are to be on the Continental establishment.

Ordered that the Keeper of the Public Magazine do immediately make a General return of Stores, and that the same be regularly done once every month thereafter with an account to whom any part thereof may have been delivered.

The President laid before the Board a Circular Letter he had prepared for the several County Lieutenants, which being read is approved, and ordered that printed Copies thereof be forthwith forwarded with all dispatch, a Duplicate is filed and ordered to be recorded.

A Permit was issued for the Schooner Patsy Captain James Gorton, of the Burthen of thirty Tons having on Board eight hogsheads of Tobacco, seventy five Barrels of Flour, and twenty thousand Shingles to trade at the Island of Hispaniola or other Port allowed of by Congress, the Master having entered into Bond with approved Security, according to Law, which is ordered to be recorded.

M^r John Cary, Manager of the Salt Works in Elizabeth City County having represented to the Board, that from the advanced state of the Season, but little Salt can possibly be manufactured this Year by the mere action of the Sun, from the time the Ponds will be finished and praying the permission of this Board to purchase a proper Salt pan for expediting the production of that essential article. Resolved therefore that M^r Cary be empowered to procure such a pan as he may think necessary for that purpose.

Upon considering the situation of the Publick Magazine, and the great Quantity of Gunpowder lodged therein belonging both to the Continent and this state resolved that General Lewis be requested to direct another Magazine to be built at some convenient place as soon as possible, the expence whereof will be defrayed by this Board, if Congress should not deem it a necessary Continental charge.

Wednesday August 21st. 1776.

Ordered that the Keeper of the Publick Magazine deliver to Captain John Nelson⁵⁵ or order twenty weight of the worst Gunpowder in his custody for the purpose of training his Troop.

⁵⁵John Nelson, captain Virginia Dragoons; in 1777 assigned to 1st Continental Dragoons; major Virginia State Regiment, 1779-1781.

Ordered that the Keeper of the Public Magazine deliver to Colonel Elliot⁵⁶ for the use of the 6th Regiment as many good arms as he may think necessary for the said Regiment in lieu of other Arms.

Friday August 23^d 1776.

M^r George Rogers Clark,⁵⁷ having represented to this Board the defenceless state of the Inhabitants of Kentucky, and having on their behalf requested that a quantity of Ammunition, may be supplied them resolved that five hundred pounds of Gunpowder be forthwith sent to Pittsburg, and delivered to the Commanding Officer at that Station, to be safely kept and delivered to M^r Clarke for the use of the Inhabitants of Kentucky. And it is ordered that five hundred

⁵⁶Thomas Elliott, lieutenant-colonel, February 1776; colonel 4th Virginia, September 1776; transferred to 6th Virginia August 1777, resigned the following month.

⁵⁷"Kentucky had been practically a no man's land used as a hunting ground by many tribes. At the treaty of Fort Stanwix in 1768, the Six Nations had ceded to the English government the land south of the Ohio. Va. claimed the territory under its charter, and the Cherokees made some vague and ill-founded pretensions to it.

"It suited the purpose of a land company, organized by Richard Henderson and others, of North Carolina, to recognize the claims of the Cherokee, and on March 11, 1775, this tribe sold Kentucky to the Henderson Co. This company immediately opened a land office, and in the same year a convention of eighteen delegates convened at Boonsboro, acknowledged the rights of the Henderson Company, and proceeded to organize a government. These actions caused great discontent among many of the settlers, and in June, 1776, another meeting was held at Harrodsburg, which declared its opposition to the Henderson movement, gave allegiance to Virginia, and elected John Gabriel Jones and George Rogers Clark delegates to the Virginia Convention of 1776. Clark's account of his connection with these proceedings and of the feeling of the people which he gave afterwards in his memoirs, has been followed by most writers on the subject, but is exceedingly inaccurate. Butterfield's 'George Rogers Clark's Conquest of the Illinois' is the only work which appears to give any accurate and judicious account of Clark's life at this time and of the events connected with it. . . .

"Jones and Clark reached Virginia after the convention adjourned. On hearing of this, Mr. Jones joined the force under Col. Christian, which was about to march against the Cherokees, while Clark went on to Williamsburg.

"After consultation with the governor and Council he procured an order for five hundred pounds of gunpowder for the use of the people of Kentucky. (Hening, IX, 257, 258.)

"The Virginia government declared the Henderson purchase void; but in 1778, as a recompense for the trouble and expense of the members, gave them a tract of land on Ohio and Green rivers.

"The acknowledgement which the settlers make, that the occupation of Kentucky was made possible by the battle of Point Pleasant is of interest.

"As a farther step in the winning of the West, it may be stated that Clark's conquest of the Northwest was made possible by the occupation of Kentucky." *Virginia Historical Magazine*, XVI, 157-158. [It should be remembered that this note taken from the *Virginia Historical Magazine* was written in 1908.]

For petition of the Inhabitants of Kentucky to the Virginia Convention and Petition of the Committee of West Fincastle to the Colony (sic) of Virginia see V. H. M. XVI, 157 *et seq.*

pounds of Gunpowder be delivered the said M^r Clarke by the Keeper of the Publick Magazine.

It appearing to this Board that Mons^r S^t Aubin, who says he has been Captain of a Troop of Horse in the service of France is willing to act as a Cadet in Captain Blands^s troop till the meeting of the General Assembly, and the Captain assuring the Board that he believes Mons^r Saint Aubin is qualified to be of great service to his Troop, and has engaged to assist in training them. Resolved therefore that Captain Bland be empowered and directed to purchase a Horse and Accoutrements for the said Saint Aubin, and that it be signified to him this Board approve of his entering into the said Troop as a Cadet. And the Board are of opinion that the Horse and accoutrements so purchased be deemed and kept as the property of the Publick.

Saturday August 24th 1776.

Ordered that Captain Richard Johns of the Schooner Pilot Boat Greyhound be desired to receive the Chevalier D. Harincourt as a Passenger to Martinico, and provide for him as a Gentleman at the expence of this Commonwealth.

August 27th 1776.

A Permit was issued to Captain George Floyd of the Schooner Bettsy burthen twenty five Ton Virginia built the property of Joshua Storrs, Hugh Walker & Comp^y Merchants of Richmond Town, laden with Tobacco, Corn, and Flour as Per Manifest filed to proceed to Hispaniola or other Port allowed of by Congress, Bond with Security being executed and acknowledged is ordered to be registered.

Tuesday August 27th 1776.

A Letter was written to the Chairman of Frederick County Committee a Copy whereof is filed and ordered to be recorded.

Wednesday August 28th 1776.

A Letter was written to M^r William Lux⁵⁹ of Baltimore a Copy of which is filed and ordered to be recorded.

Thursday August 29th 1776.

Ordered that the several Captains and other Commissioned Officers in the Militia of Dinwiddie County who with a laudable zeal for the Publick Service enlisted as Privateers in a Volunteer Company which is stationed at Hampton be now discharged and that they return to the said

⁵⁸Theodorick Bland, captain of Light Dragoons, 1776; major, 4thth December, 1776; colonel 1st Continental Dragoons 25th November, 1776; resigned 10th December, 1776; in command of guards of "Convention" troops near Charlottesville.

⁵⁹William Lux had been a member of the Baltimore "Sons of Liberty" in 1765, of the Committee of Correspondence in 1774, and of the Maryland Convention in 1775. During the Revolution he was actively engaged in negotiating for supplies from the West Indies.

County that they may be enabled to do their duty in training their Companies, which is at this time so essentially necessary. And It is further ordered that it be signified to the rest of that Company, that they will be discharged as soon as their place can be supplied by another Company of Militia or Minute Men.

Friday August 30th 1776.

A certificate of Militia Officers lately appointed by the Committee of Lunenburg County was returned to the Board, and ordered to be registered.

Upon a representation to this Board that Benjamin Woodward who had been examined by the Court of Dinwiddie County on a charge of counterfeiting the Continental money and the Current money of this and other States of America, and been remanded to Jail in order to take his trial for the said offence, had made his escape- It is ordered that a proclamation issue offering a reward of fifty pounds to any person who shall apprehend the said Woodward and deliver him to the Keeper of the Publick Jail.

It being represented by the Navy Board that from the peculiar structure of the Brigantine Liberty she cannot sail securely without heavy Ballast, Ordered therefore that Captain Lilly the commander go to Baltimore, there to take in Iron for that purpose, and that a Letter be written to M^r William Lux of that place to procure it and the President is requested to write the same.

(From the Virginia Gazette, August 30 1776.)

BY THE HON. JOHN PAGE, ESQ; LIEUTENANT-GOVERNOUR
OF THE COMMONWEALTH OF VIRGINIA:

A PROCLAMATION.

Whereas *Benjamin Woodward*, late of the parish of *Bath*, in the county of *Dinwiddie*, silversmith, having been duly examined at a court for that purpose held in the said county, on suspicion of having feloniously counterfeited⁶⁰ the Continental, *Virginia*, and *North Carolina* paper currencies, was remanded to jail to be tried for the said offence, and escaped therefrom: I have therefore thought fit, by and with the advice and consent of the Council of State of the said commonwealth, to issue this proclamation, charging and commanding all constables, sheriffs, and other officers throughout the said commonwealth, to make dilligent search and inquiry after the said *Benjamin Woodward*, and him, when found, to convey to the publick jail in the city of *Williamsburg*. And I do furthermore, by these presents, offer a reward of FIFTY POUNDS, to be paid unto whatever person or persons shall

⁶⁰Hening's "Statutes at Large", IX, 134.

apprehend the said *Benjamin Woodward*, and secure him in the said publick jail.

Given under my hand and seal, at the Council Chamber, in the said city of Williamsburg, the 30th day of August.

The said *Benjamin Woodward* is about five feet ten inches high, about thirty years of age, of a pale complexion, has chestnut colored hair, well proportioned, looks grave, and has an insinuating manner of address.

JOHN PAGE

(From Journal of the Council.)

Saturday August 31st 1776.

Ordered that the Surgeons attending the Troops ordered out on the Indian Expedition, be allowed each of them three Mates, and Forage for two Horses if they shall be under the actual necessity of keeping two. Also each Surgeons Mate be allowed Forage for one horse.

A Letter was written to Richard Peters Esquire Secretary to the Continental War Office- whereof a Copy is filed, and ordered to be recorded.

Friday September the 6th 1776.

A Certificate of Militia Officers appointed by the Committee of Essex County pursuant to Ordinance; being returned to this board. It is ordered that the same be registered, and that Commissions issue.

The Sloop Good Intent, of Bermuda, Richard Fowle Master having entered with eight hundred bushels of Salt, three puncheons of Rum and three hundred and fifty pounds of Coffee, and having been offered twenty shillings Per Bushel for the Salt but chusing to give the pre-emption to the Publick; the Board considering the great necessity of laying in a stock of that essential article for the use of the army, agree to take it for that purpose and the said Richard Fowle is directed to deliver the same at Jamestown, and is permitted to take in a load of Grain pursuant to the Resolution of Congress in such cases made and provided, as soon as he shall produce to this Board a receipt for the same under the hand of M^r John Hawkins who is hereby appointed to receive it.

Ordered that the Commissary of Stores deliver to John W. Norton Esquire two pieces of Sail Duck to enable him to fit out a Vessell for the importation of sundry necessary Articles, he having engaged with this Board to return the same, in kind.

Ordered that William Finnie⁶¹ Esquire Quarter Master General of the Continental Troops in this department be desired to provide as many wooden Tents as are still requisite for the minute men on this Station.

⁶¹William Finnie served as quarter-master general of the Southern Department until the end of the war.

JOHN PAGE, LIEUTENANT-GOVERNOR, TO RICHARD PETERS, SECRETARY OF THE WAR OFFICE.

(Cont. Congress Papers, 71, Vol. 1.)

Gentlemen

We received your Letter requiring a Return of the Prisoners of War in this Commonwealth, and a List of the Officers on the Continental Establishment, so late, that it is not in our Power to be so accurate as we cou'd wish; at present We can only transmit a List of the Prisoners, and shall send an accurate List of the Officers by the next Post, referring You in the mean time, however, to a List which We very lately sent to the Virginia Delegates at Congress.

By Order of Council

August 31.

1776.

I am Gen^t Your mo. Ob^t Serv^t

JOHN PAGE P^t

[Addressed:]

To

Richard Peters esq^r

On public Service

Secretary to the War Office

Philadelphia

[Indorsed:]

No. 8 Letter from

John Page Presd^t Council

Virginia Aug^t 31st 1776

THOMAS WHITING,⁶² NAVAL COMMISSIONER, TO SIR JOHN PEYTON, OF GLOUCESTER.

(From Letter Book of the Navy Board, Virginia State Archives.)

Williamsburg Sep^{tr} 7th 1776.

Sir

We are informed by the honble M^r Page that there was a Flatt sunk with some Cannon belonging to one of Lord Dunmores Vessels near Gwynnes Island. We have therefore sent Cap^t Tompkins in the Henry Galley to search for them and to endeavour to get them up & shou'd be much obliged that you will give him the best information you can where they may be most likely found. I am by order of the Naval Board.

Your huble Servant

THOS WHITING 1st Comm^r

⁶²Thomas Whiting, burgess for Gloucester from 1755-1776 inclusive, member of the conventions of May and December, 1775 and of May 1776; member of the Navy Board.

*(From Journal of the Council.)*Saturday September 7th 1776.

A Petition from the Inhabitants of the Town of Alexandria setting forth among other things, "their defenceless condition, tho accessible to Ships of War under forty or fifty Guns only, and praying that they might be permitted to purchase at the public expence Sixteen Iron Cannon viz^t ten eighteen pounders and six nine pounders to be mounted on two substantial Batteries which had been lately erected on advantageous situations in that Town, and which were now compleated with proper embrazures for Cannon directly under which the Channel of the river runs, so that no Ships can pass at much more than a Quarter of a mile distant: and that they may be also allowed to purchase in the same manner two small Forges for casting the nine pound Shott, with a sufficient Quantity of Ordinance Stores; And farther praying that out of the two militia Companies now in the said Town, there might be formed one Artillery Company to consist of fifty Matrosses with proper Officers to be duly exercised at the said Batteries twice a Week, and to receive when on duty only, the same pay with other Artillery Companies" was presented to the Board and read, on consideration whereof it is ordered, That the Petitioners be accordingly permitted to purchase the Cannon, Forges & Ordinance Stores aforesaid taking care not to exceed thirty five pounds per Tonn, for the Cannon, including the expence of proving the same, and to procure the other Articles as cheap as possible. The board, do not think themselves authorized to order an Artillery Company to be formed, and therefore refer that part of their Petition to the consideration of the next General Assembly.

On Considering a representation from the District Committee of Caroline A Letter was written Joseph Jones Esquire their Chairman, a Copy whereof is filed, and ordered to be recorded.

A Letter was written William Lux Esquire of Baltimore a Copy whereof is filed, and ordered to be recorded.

On consideration of a recommendation from the Navy Board, It is ordered that M^r Willis Wilson⁶³ be appointed Captain of a Galley, called the Caswell, building at South Quay, and that a Commission issue accordingly.

JOHN PAGE, LIEUTENANT-GOVERNOR, TO COL. WILLIAM FLEMING.

(From "Revolution on the Upper Ohio" (Thwaites & Kellogg), p. 196.)

Williamsburg in Council Sep^r 9th 1776.

Sir

Having received a Letter from the Commissioners appointed to treat with the Northern Indians, representing the Danger which in their opinion threatens Fort Pitt from the hostile Disposition of those Tribes, who under the pretence of treating with the Commissioners are collecting

⁶³For Capt. Willis Wilson and the "Caswell", see Paullin's "Navy of the American Revolution", p. 458.

in such numbers, that the present Garrison at that Fort would be unable to baffle their attempts. You are therefore required to pay a particular attention to the orders they have sent you and hold such a body of men in readiness to march to their assistance, as they may require.

We are Sir your h^l• Serv^{ts}

Signed by order of the Council

JOHN PAGE P^t

P. S. If you can make out another Comp^a you are also required to send it to Point Pleasant.

J. P.

County Lieu^t of Botetourt.

(From the Journal of the Council.)

Monday September 9th 1776.

It appearing by an Authentic Letter, received from a Gentleman of Credit in the Island of Bermudas, that the Schooner Polly, John Middleton Master, cleared out from the Port of James river, for the Island of Hispaniola, hath landed and Disposed of her Cargo in the said Island of Bermudas, contrary to the Resolutions of the General Congress, and in breach of the Condition of the Bond given for clearing out of the said Vessel Resolved that the Attorney General be desired to commence a Suit in Behalf of this Commonwealth on the said Bond, and to procure the Depositions of the Master and Mate of the Sloop Good Intent, lately arrived from bermudas, and who are about to leave the Country, to be taken as evidence in the said suit.

Upon considering the Representation of the Commissioners at Fort pitt appointed to treat with the Northern Indians, and also of Major Neville, of the necessity of strengthening the garrison with more men and ammunition, and informing the Board of the Steps they had already taken preparatory thereto. It is Ordered that one thousand pounds of Gunpowder, two thousand flints, and one thousand pounds of lead, be immediately forwarded to the said Fort. And Letters on this subject, were written to the said Commissioners, Major Neville, and the County Lieutenants of Hampshire, Frederick, Dunmore, Berkeley, Augusta, West Augusta, and Botetourt. The Board having also conferred with Brigadier General Lewis on this occasion, by his advice, It is further Ordered that the Garrison at Fort Pleasant, now Fort Randolph be strengthened with one hundred men from the Counties of Augusta and Botetourt, who are to be discharged, as soon as the situation of affairs will admit thereof. And that the same be signified to the said County Lieutenants of Augusta, and Botetourt.

Tuesday 10th September 1776.

Upon information that Brigadier General Lewis, in consequence of a recommendation of this Board, to cause Barracks to be built for the reception of the Continental Troops which are or may be on duty in the neighbourhood of this City, hath ordered Barracks to be erected

for one thousand men only, and it being the opinion of this Board, that there ought to be Barracks for at least double that number of Regulars. Ordered therefore, that the General be requested to reconsider this matter, and if thereupon, he should be of opinion with this Board, that more Barracks will be wanted, that he will be pleased to give orders accordingly.

Ordered, that Barracks be immediately built for seventy two Horse, and that the said Troops of Horse, which have been lately raised, repair with all expedition to Williamsburg.

It appearing to this Board from the information of the Managers of the Public Salt Works, that there is no prospect of making any Quantity of Salt this Year, by evaporation, produced by the action of the Sun alone, It is Ordered that the President be empowered to write to Isaac Zane⁶⁴ Esq^r desiring him immediately to go about and make the Salt pans for the use of the public.

Wednesday 11th September 1776.

A Letter was written to his Excellency the Governor, representing the urgent necessity of his immediate attendance, for the dispatch of public business- see Letter Book.

On the application of Colonel Thomas Fleming of the Ninth Battalion of the Continental Army, raised in this State, for Commissions for himself, and the several Officers under him, and it being a matter of doubt at what time the s^d Commissions ought to bear date, so as to preserve their rank, in the Army, and yet it appearing to be necessary that Commissions ought to issue immediately. Ordered therefore, that a proper number of the Blank Continental Commissions, which have been sent by Congress for that purpose, be filled up except as to the Dates; and that it be indorsed thereon, that the date is left blank in order that the Rank of the Officers, may depend upon the future directions of Congress; And it is further Ordered that a Letter be written, recommending to that honorable body, that the Dates of the several Continental Commissions, may be the same with those held under the Convention, as the best way of preserving the former Rank.

Resolved, that Brigadier General Lewis, be desired to require of the several Officers, who have received an allowance of four pounds ten shillings from the public in lieu of a Tent, to furnish themselves with proper Tents, and deliver up the Tents, for the use of the Troops, which any of them may have, belonging to the Country who have not already done so.

Thursday 12th September 1776.

Resolved, that the several Quarter Masters of the Battalions of minute men, now in service, provide with all convenient dispatch a sufficient quantity of wood at their respective stations to last their Battalions the winter, it being the opinion of this Board, that it may be done cheaper at this Season, when the expence of forage may be saved than at any other.

⁶⁴Isaac Zane of the Malboro Iron Works, was, after the war, brigadier-general of militia. See will. *Tyler's Quarterly Magazine*, Vol. V, p. 272.

Resolved, that the Commissioners of the Navy, be desired immediately to contract with proper persons for the building in the most expeditious manner, thirty Boats properly calculated; for the transportation of Troops across or up and down the rivers and creeks, each Boat to be of a proper size for carrying a complete company of sixty eight men, with their arms and Baggage.

The Navy Board, having agreeably to a request of this Board, returned a List of such of the cruising Vessells, as in their opinion, might be sent with the greatest advantage & the commodities of this Country, to the Foreign Islands or to Europe for the purchase of Salt, clothing, arms, and other necessaries for the army & also a scheme of trade & recommendation of proper persons to conduct their lading & outfit; the consideration thereof is deferred till tomorrow.

Upon Information, that a Quantity of Flour, belonging to the public was landed at Frazers ferry in the county of King William from on board the Brig Liberty. It is Ordered, that the Commissary of Provisions do make inquiry concerning the same, and cause it forthwith to be brought to this place.

Friday, 13th September 1776.

The Board now resumed the consideration of the Report made yesterday by the Navy Board, which is as follows, viz^t The Commissioners of the Navy are of opinion, that the scheme proposed to them by the Council, for the Importation of Salt, clothing and medicines, for the supply of the Army, is practicable, and may probably be the means of providing those and many other Articles, indispensably necessary to the army and navy, on much cheaper terms than they can in any other way be procured. They think the following Cruizers, to wit, the Sloop Congress, Sloop Scorpion, Sloop Liberty, Sloop Defiance, Schooner Hornet and Revenge may with propriety be spared for the purpose; and that they may be ready to take in their Cargoes, by the 15th of October next. They have no doubt the Articles desired may be got in Europe on good terms, but conceive these Vessells to be unfit for such a Voyage more especially as their return, would probably happen in the winter season, they have therefore agreeable to the request of the Council made out Invoices of the Cargoes, that they Judge best suited to the Marketts in the Foreign West Indies, and a memorandum of such articles suited to our wants, as may be purchased to advantage.

Invoice of Cargoes for six Vessells proposed to be sent to the Foreign West Indies, on account of the publick.

Sloop Congress, sixty hogsheads of Tobacco suppose £10, each £600-five hundred Barrels of Flour at thirty shillings £750, total £1350.

Sloop Scorpion, ten hogsheads of Tobacco suppose £10, each £100-two hundred and fifty Barrels of Flour at 30/.....total £475.

Sloop Liberty, her Cargo estimated to be the same with Sloop Scorpion.

Sloop Defiance, sixty hogsheads of Tobacco supposed £10, each £600 three hundred Barrels of Flour at 30/. £450.....total £1050.

Schooner Hornet, ten hogsheads of Tobacco supposed £10.....£100-three hundred Barrels of Flour at 30/.....total £550.

Schooner Revenge, twenty hogsheads of Tobacco supposed £10.....
£300- three hundred Barrels of Flour, at 30/.....£450.....total £650.

The whole amount of the foregoing Cargoes being estimated at £4550.

Of which Cargoes to be purchased on James river, and stored at Hoods, ninety hogsheads of Tobacco and nine hundred Barrels of Flour.

To be purchased on York river, and stored at Cumberland sixty hogsheads of Tobacco & five hundred Barrels of Flour.

To be purchased on Rappahannock river, and stored at Hobbs hole, twenty hogshhead of Tobacco, and five hundred Barrels of Flour.

To be purchased on Potowmack river, for the *schooner Speedwell* and stored at Alexandria. 60 hhd's Tobacco supposed at £10.....£600- three hundred Barrels of Flour £450.. total £1050, the return Cargo of which to be hereafter considered.

Invoice of Goods to be purchased in return for the Cargoes of six Vessells proposed to be sent to the Foreign West Indies, on account of the publick.

Cargo, for Sloop Congress, 2000 Bushels of Salt supposed at-2/6 £250-

Blankets to the amount of £600. Coarse Woolens £500. Sail Duck £500.

Medicines £50. Oznabrigs £500. Checks and coarse white Linens £300.

Powder £500- Arms & swords £200- Port charges &° £150- total £3550-

Cargo, for Sloop Scorpion, 500 Bushels Salt £62....10. Blankets £200- coarse Woolen £200. Sail Duck £100. arms £300. Powder £100- Post charges &° £87....10. total £1050. Cargo for Sloop Liberty 500 Bushels Salt £62....10. Blanketts £300. coarse Wollens £200, Sail Duck £100. Medicines £47....10 Arms £200. coarse Linens £100. Port charges &° £165. total £1175.

Cargo, for Sloop Defiance 1000 Bushels Salt £125. Blanketts £500, coarse woollens £500. medicines £75. Sail £300, arms £300, Oznabrigs & Checks £300. Powder £400. Portcharges- &° £200- total £2700.

Cargo, for Schooner Hornet, 600 Bushels Salt £75. Blanketts £200. coarse woollens £200. medicines £40. sail duck £125 arms £200. Powder £260 Oznabrigs £100. Portcharges &° £150. total £1350.

Cargo, for Schooner Revenge, 800 Bushels Salt £100, Blanketts £300, coarse Woollens £300. medicines £50. Sail Duck £250. Arms £200. Powder £200. Portcharges &° £100. Total £11325, which upon the most moderate Estimate we suppose the cargoes will sell for.

M^r Thomas Shore for James river, M^r George Park for York river, Mess^{rs} Smith & Roane for Rappahannock are recommended as proper persons to purchase the Cargoes to be exported as above in the said several Cruizers. and the said Scheme having been fully and maturely considered, is wholly approved by the Board, and thereupon it is ordered that agreeable to their recommendation the foregoing Gentlemen be appointed Agents on the above mentioned rivers to purchase the com-

modities intended for Exportation, and moreover M^r John Dalton for Potomac river- That the agent for James river be instructed to purchase on as good terms as the same, can be procured ninety hogsheads of Tobacco & nine hundred Barrels of Flour, to be stored at Hoods.- That the Agents on York river be instructed to purchase 60 Hhds. of Tobacco, and 500 Barrels of Flour to be stored at Cumberland- That the Agent on Rappahannock River be instructed to purchase 20 hhds Tobacco, and 500 Barrels of Flour to be stored at Hobbs hole. And that the agent on Potowmack river be instructed to purchase 60 hhds of Tobacco, and 300 Barrels of Flour, to be stored at Alexandria. All of which Commodities will be paid for by warrant on the Treasurer within three months from this day. And the Agents are to procure the same, so as to be ready at the places where they are directed to be stored by the 10th day of next Month at latest.

On considering a Petition from the first Battalion of Minute men, under the command of Colonel Meredith setting forth, their readiness at all times to shew an implicit obedience to the orders of those under whom they have the honor to serve, but that the orders given by General Lewis for them to take post at Portsmouth, are attended with circumstances so very disagreeable, that they could wish those orders to be countermanded, among other circumstances they beg leave to urge, that at their first taking post at Hampton, the men through fatigue of marching in extreme hot weather, became exceedingly sickly, that many continue so still, & they fear should they be sent to Portsmouth, they would be subject to the same fatality, which they have now in part escaped, and that many of them have families, which are more convenient to them at Hampton, than at Portsmouth. The Board are of opinion that as Portsmouth is not more than twenty miles from Hampton & in equally as healthful a situation, and General Lewis having urged the importance of maintaining that Post, the experience of Colonel Meredith, and the strength of that Corps being superior to any other minute Battalion; reasons set forth in the above petition are nugatory, and the same was rejected.

Saturday 14th September 1776.

It being represented to this Board as well by several of the officers in the minute service as the men under their command that several of the men have served the time for which they were enlisted, and that others belonging to Broken Companies, which have never been compleated agreeable to the late Ordinance resolved, that all such men as are among the first sixteen enlisted into any Company now in actual service be discharged after having been enlisted one Year, if they desire it, and that all such as are parts of broken Companies which have never been compleated be also discharged upon their request, but the several Officers are desired to recruit any such men, as are willing to continue in service either as Volunteers or Militia for two or three months, and the Commanding Officers at the different Stations are desired to make a return of the men under their command, after discharging those that are entitled to it as aforesaid.

Letters were written to the Honorable Virginia Delegates in Congress, and to Henry Lee Esquire of Prince William County, as per Letter Book.

JOHN PAGE, LIEUTENANT-GOVERNOR, TO THE VIRGINIA
DELEGATES IN CONGRESS.

(From "*American Archives*," Fifth Series, Vol. II, p. 319.)

Williamsburg, in Council, September 14, 1776.

Gentlemen: Three days ago the Board delivered to Colonel Thomas Fleming of the Ninth Battalion, commissions for the several Captains and Subalterns under his command, upon his representing the very disagreeable situation they must be in, to be engaged in the service of the Continent without having their commissions to show in case the fortune of war should throw them into the enemy's hands. There was no resisting so powerful an argument, and yet the Board were so much at a loss for the proper date of the several commissions that they have issued them without any date, endorsing thereupon that that was purposely omitted, to reserve the matter of rank to the future determination of Congress, upon which head the Board would be glad to have their directions as soon as possible. It may be proper to observe that this matter ought to be settled so circumspectly as not to give any ground of offence to the different officers by inverting the order of their rank. Should the honourable Congress direct the commissions to be dated at the times the several regiments were respectively taken into Continental pay, such would certainly be the unhappy consequence; the Eighth and Ninth Regiments, for instance, would by that rule of precedence be postponed to the Seventh, which has ever hitherto taken rank of the other two. And it is submitted whether any other method can so effectually avoid this as the dating their commissions at the times they were respectively dated in the Virginia service. This would moreover remove the hardship which the officers here think they labour under as they stand related to those commissioned in the other States; for otherwise they must yield rank to officers who have not been so long engaged in opposition to our common enemy, but who have had the good fortune to receive their Continental commissions sooner.

In case the Honourable Congress should judge the rule here recommended to be equal, it may be necessary that they should have the dates of the commissions granted to the officers of the First and Second Regiments, on the Provincial establishments, which therefore is enclosed. Those of the other regiments have been already transmitted. The Field-Officers of the Ninth Battalion have not yet received their commissions, which they are desirous of having as soon as may be.

Your several letters have been received desiring the Council to recommend proper persons to fill the vacant Majorities, and in doing so to pay a particular attention to military merit. If the nature of the service here had been such as to give an opportunity of distinguishing, the General must have been able to distinguish with more precision and certainty than this Board; yet even he has not probably had the proper

opportunities of judging, to enable him to comply with the intentions of Congress. In this situation of our army, the Board think there is nothing left them, but to refer you to the lists of officers which have been sent, and which will show how they stand in point of seniority.

We have received £1076 2^s. 6^d by the hands of Mr Aylett, which shall be carried to the credit of your account.

I am, gentlemen, your most respectful and obedient servant.

Signed by order of Council:

To the Honourable Virginia
Delegates at Congress, Philadelphia.

JOHN PAGE, President

Tuesday the 17th September 1776.

Present His Excellency

John Page

John Blair

Dudley Digges

Benjamin Dandridge

and Benjamin Harrison Esquires.

The Board, having heretofore ordered that a suit should be prosecuted against Matthew Phripp,⁶⁵ one of the owners of the Schooner Polly, John Middleton Master on the Bond given at her clearance for Hispaniola, the said John Middleton having violated the condition thereof, by proceeding to Bermuda; at the request of M^r Phripp, who produced attested Copies of the Instructions given Captain Middleton, whereby it appears the said Captain had disobeyed his orders, it is ordered that to relieve M^r Phripps character from any Stigma in consequence of the said transaction, and that his reputation may not unjustly suffer by a proceeding which Publick Justice has rendered necessary., the Clerk deliver him a Copy of this Entry.

Ordered, that the Commissary of Stores at Fredericksburg furnish Captain Henry Lee,⁶⁶ with such necessary clothing as he may want for his Troop of horse, taking a receipt for the same.

Friday September 20th 1776.

It appearing to this Board that the allowing the Officers of the Continental Troops raised, and now stationed in this Commonwealth to recruit the Minute Men and Militia, now in actual service, will greatly facilitate the compleating the Regiments now raising and remaining in this State, which is judged the best means of defence, in the absence of the other Regiments. Resolved therefore that the said Officers be

⁶⁵See Note on Matthew Phripp, V. H. M., XV, p. 148.

⁶⁶Henry Lee ("Light Horse Harry") captain of Dragoons, 18th June, 1776; company attached to the 1st Continental Dragoons, 31 March 1777. In April Lee was highly commended by Congress and promoted to the rank of major commandant. In September, 1779, he received the thanks of Congress for his valor in the affair of Powles' Hook. On 21 October, 1780, his Battalion was designated Lee's Partisan Corps; lieutenant-colonel of the same, 6th November, 1780, and served to close of war. Major-general, United States Army, 19th July, 1798.

allowed to enlist such of the said minute men or Militia as are willing to serve in the said regiments for three years.

Resolved that all the minute Companies in the Counties of Norfolk, Princess Anne, Nansemond and Isle of Wight that are compleat or can be made so within three weeks, and are liable or willing to serve for three months or longer be immediately ordered into service under command of the Commanding Officer at Portsmouth.

Monday 23rd September 1776.

His Excellency is advised to issue his Proclamation, for continuing the Deputy Attornies in the several County Courts, who were appointed under the late Constitution, to act and prosecute on behalf of this Commonwealth, they first taking the oath of Fidelity thereto, in their respective County Courts.

Tuesday 24th September 1776

Captain Michael Bowyer,⁶⁷ who was appointed to the Command of a Company of fifty men, to build and garrison a Fort at the mouth of the little Kanawha, having represented to this Board, the impracticability of erecting the Fort or defending it when erected with that number of men; but that he might be usefully employed in reinforcing some men, who were collected at Tigers Valley for the defence of that Country, the path thro' which the Northern Indians must be expected to invade our Country- It is Resolved, that Captain Bowyer station his Company at Tigers Valley, for the purpose aforesaid, until the future order of this Board, or of the General Assembly, and that a Company of Militia which is employed by Colonel Smith as Rangers in that County be discharged.

Ordered that the Keeper of the Magazine deliver to Captain Michael Bowyer ten Rifles for the use of his Company- also two hundred pounds of Sulphur to be convoyed by him to the Chairman of the Committee of Safety of Augusta County.

The Board judging it necessary to make provision for strengthening the lower part of the Country, and being of opinion, that it will be advisable to consult with the Generals Lewis, and Stephens, they are requested to attend tomorrow, for that purpose.

Wednesday 25th September 1776.

Ordered That Major Buchanan do immediately send to Portsmouth all the powder from Hampton reserving only five hundred pounds of the said powder for the use of the Troops under his Command, and he is required to apply to Captain James Barron, to take charge of the said powder, who is directed to convey it without delay to Portsmouth.

William Lux Esquire of Baltimore having informed the Board that Captain Lilly being in want of sail Cloth for the Brigg Revenge he had supplied him with eleven pieces of Duck and desiring to have it immediately returned him; it is ordered that the Commissary of Stores send the same by Captain Eleazer Callender, which was signified by Letter to M^r Lux.

⁶⁷Captain Michael Bowyer, 12th Virginia, retired 14 September, 1778.

Thursday September 26th 1776

On Considering the present naked and defenseless situation of this Country occasioned by the late Removal of three Battalions of Continental Troops to New Jersey and on conferring with the Brigadier Generals Lewis & Stephen- It is ordered that besides the Princess Anne Battalion of Minute Men lately ordered into service and consisting of five Companies of fifty men each there be now called into service twenty six Companies of fifty Men each, to be made up of Volunteers from the Militia if that can be immediately done if not to be Draughted according to Ordinance & to be forthwith marched to Williamsburg; that is to say, from the County of Albemarle two Companies; Amelia, one Company; Brunswick, two Companies; Buckingham one Company; Caroline one Company; Charlotte one Company; Chesterfield two Companies; Cumberland two Companies; Dinwiddie, two Companies; Goochland, one Company; Hanover One Company; Henrico one Company; King & Queen one Company; Louisa one Company; Mecklenburg, one Company; Prince Edward, one Company; Southampton two Companies; Spotsylvania one Company and Sussex one Company; and it was ordered that a Circular Letter be accordingly written to the County Lieutenants of the several Counties aforesaid and that the same be recorded.

It appearing by the representation of Captain Bland that the Barracks formerly ordered to be built are insufficient for the first Squadron of Horse; therefore

Ordered, that Barracks be immediately built for one hundred Horses, on that part of the Park which the Governor lately gave up for the use of the Troops; and that the Quarter Master of the said Squadron be empowered to contract for the same. And it is further ordered that the Quarter Masters of the several Squadrons provide Straw, Candles & other necessaries for their respective Squads.

Ordered That Captain Charles Harrison of the Artillery be empowered to take possession of and apply to the use of his Company in transporting the same or any Ordinance Stores, a Boat now lying at Porto Bello⁶⁸ lately the property of Lord Dunmore, first having the same appraised & returning the appraisalment to the Governor and Council.

A Permit was issued to Captain Osburn of the Sloop Packet to go to Hispaniola or other Port allowed of by Congress, with her Laden as Per Manifest filed; the said Osburn having executed Bond with security, which is ordered to be recorded.

Friday September 27th 1776.

Order that a Permit issue to James Darrel, Master of the Brig Anne from Bermuda laden with Salt, to proceed up James River and dispose of his Cargo.

Saturday September 28th 1776.

David Hunter and Peter Light, of the County of Berkley, appear in Council and Contract with the Board, to furnish, for the use of this State, two hundred Stand of arms to consist each of a Good Musket

⁶⁸On York River, at the mouth of Queen's Creek.

three feet eight Inches in the Barrel, three quarters of an Inch bore, Steel rammers, the upper thimble trumpetmouthed, the lower thimble with a Spring to retain the ramrod, bridle lock, brassmounting, a Bayonet eighteen inches blade with Scabbard, one pair bullet moulds, to mould sixteen Bullets, to every forty Guns; a priming wire & brush to each Musket; the Stand, compleat, well fixed & properly proved to be delivered at Williamsburg, and approved of by any two Officers of the army who may be appointed to examine and report their opinion of the same on, or before the first day of December next ensuing at the price of Six pounds Virginia Currency. The said Hunter is also to furnish two hundred Cartouch boxes of a proper size & at the usual price. a Bond was entered into with good Security for the due performance of the above Contract and ordered to be filed.- And the said David Hunter received a Warrant for one hundred pounds upon account and in part for the two hundred Stand of Arms which he has engaged to make for the use of the public.

(From the Virginia Gazette, September 27, 1776.)

BY HIS EXCELLENCY PATRICK HENRY, JUNIOR, ESQ;
GOVERNOUR OR CHIEF MAGISTRATE OF THE
COMMONWEALTH OF VIRGINIA:

A PROCLAMATION.

Whereas it is expedient and necessary that proper persons shall be appointed to advise and prosecute in behalf of the said Commonwealth in the different counties within the same, I have therefore thought fit, by and with the advice of the Council of State, to issue this my proclamation, hereby empowering the several deputy attornies under the late constitution to continue to officiate assuch under the present government, and to enjoy all emoluments and privileges which to the said office may of right obtain.

And I do furthermore request, that the justices of the peace for those counties in which the former deputy attornies may either refuse to continue to act, be dead, or otherwise incapacitated, will inform Edmund Randolph, esq; attorney general for the said commonwealth, that the vacancies may be immediately supplied.

Given under my hand and seal this 23^d day of September, in the year of our Lord 1776.

(From Journal of the Council.)

Monday September 30th 1776.

Richard Savage having petitioned the Board on the Subject of a quantity of Salt he has imported into this Country at a place called the South Key in the County of Nansemond & setting forth among other things that the people in that neighborhood have assembled in great Bodies and declared that the Salt should not be removed till they are furnished, though at present they are not provided with money to buy it, and that besides it would be attended with great delay & expence to

the Petitioner to retail it out by the Bushel and that if he should be forced to do this it would prevent him and others from importing any more & proposing therefore that the Salt should be purchased by the public and distributed among the People without any profit except so much as should be equal to the expences. The Board having maturely considered the said Petition are of opinion, that it would be improper, and appear an Act of great partiality to bestow the public money in the purchase of advantages for a small part of the Community though equally necessary to the whole & would be besides very impolitic thus to gratify & reward the riotous Disposition of the people so disgraceful to Government Whereupon

The Board advised his Excellency to write to the County Lieutenant of Nansemond, requiring him to raise whatever Force he might judge necessary for suppressing so lawless a Spirit & protecting the Petitioner in his Person & property. A Copy of the Letter is filed & ordered to be recorded.

Wednesday October 2^d 1776.

It appearing by a Return of the 3^d Battalion of Minute Men, under the Command of Major Buchanan,⁶⁹ that there are only fourteen Men fit for Duty;

Ordered therefore that the said Battalion be disbanded and that Major Buchanan be required to deliver all the Guns, Blankets and Camp Utensils which have been paid for by the public to the keeper of the Magazine and produce the receipt for the same to this Board.

Ordered That Captain Miles Kings Company of Minute Men be immediately taken into service and that they forthwith repair to Hampton and continue in Duty there til further orders.

A Permit issued to Captain Butler, of the Sloop Wealthy, lately arrived from Bermuda with Salt, to dispose of her Cargo and trade with the Inhabitants of this State for the same.

A Permit issued to the Sloop Goodintend, Richard Towle Master, lately arrived here with Salt from Bermuda, to return to the said Island. manifest of Cargo filed Bond executed & ordered to be recorded.

JOHN PAGE TO EDMUND PENDLETON, SPEAKER OF THE
HOUSE OF DELEGATES.

(*From Virginia Historical Magazine, XVII, p. 262.*)

Palace, Oct'r 7th, 1776.

Honble Sir,

As Mr. Wythe and myself who were appointed by the late hon'ble Convention to superintend the engraving of the Seal of the Common wealth and to take care that the same should be properly executed finding it impracticable to find an Engraver in this State, those who were in any manner qualified for such an undertaking being engaged in engraving Plates for the Paper Money, have been under the necessity of employing proper Persons to execute this Business in Philadelphia.

⁶⁹Andrew Buchanan, major militia, 1776-1778.

I have been informed by Mr. Jefferson whom I applied to, to engage Artists qualified for the work, that he had employ'd such as were excellent and that work must now be in great Forwardness but, that from the Nature of it, it will be some Time before it can be compleated. I expect to have a particular account of the State of this Business from Mr. Wythe by the next Post. I thought it my Duty Sir, to lay this short account of the unavoidable Delay of this important Business before you that the House may take such Steps to remedy the Inconvenience arising from the want of the Seal, as they may judge proper. I have the honor to be Sir,

Your Mo. obed^t h^{ble} Srv^t

The Hon^{ble}

JOHN PAGE.

The Speaker of the
House of Delegates.

(From Journal of the House of Delegates.)

Monday, October 7.

The Speaker laid before the House a scheme of Trade proposed by the Commissioners of the Navy, and approved by the Governour and Privy Council, with their request that this House would assist in carrying the same into execution; which being read,

RESOLVED, That this House do approve of the said scheme, and that the Treasurer do pay into the hands of the Governour and Council the sum of 5000l. for carrying the same into execution, and that Mr. Jefferson do carry the same to the Senate for their concurrence.

The Speaker also laid before the Convention a letter from the Hon. John Page, Esq. informing him, that although the utmost diligence had been used by the committee appointed to superintend the engraving the seal of the Commonwealth, the same was not yet completed, and desiring the House would take such steps to remedy the inconveniences arising from the want of a seal, as they should think proper; which was read, and ordered to lie on the table.

(From Journal of the Council.)

Tuesday October 8th 1776.

A Letter was written to the Speaker of the House of Delegates⁷⁰ on the Subject of various occurrences referred to the consideration of the

⁷⁰The speaker of the House was Edmund Pendleton (1721-1803). He had entered the House of Burgesses in 1752, and immediately became one of its leading members. He declared the Stamp Act unconstitutional; was a member of the Committee of Correspondence in 1773, and president of the Colonial Convention of 1774, resulting from the Boston port-bill. He was a delegate to the first Continental Congress. After the death of Peyton Randolph he succeeded to the first offices of state. He was president of the Convention of December, 1775, and of that of May, 1776, and president of the Committee of Safety. He it was who wrote the Virginia resolutions favoring a Declaration of Independence and proposing a State Constitution. As a speaker of the House of Delegates he, with George Wythe and Thomas Jefferson, revised the colonial laws.

In 1777 Pendleton was re-elected speaker. When the Court of Chancery was organized he was unanimously chosen as its president. He became head of the Court of Appeals when it was organized in 1788, and this office he held until his death.

General Assembly as follows Sir &c- a Copy of which is filed & ordered to be registered.

A Permit granted to the Sloop Content William Meredith Master to Proceed on a Voyage to the Island of Curraçoa- Manifest of her Cargo filed- Bond executed acknowledged and ordered also to be filed.

[On October 7 the first Assembly under the new constitution convened. It consisted of a Senate elected by the people; the members of the late Convention acted as a House of Delegates. Col. Archibald Cary⁷¹ was President of the Senate. For an interesting comment on its general personnel, see letter of Samuel Atkinson, V. H. M., Vol. XV, p. 357.]

GOVERNOR HENRY TO EDMUND PENDLETON, SPEAKER
OF THE HOUSE OF DELEGATES.

(From "Patrick Henry—Life, Correspondence, and Speeches," by William Wirt Henry, Vol. III, p. 18. This work will hereafter be referred to simply as W. W. Henry's "Henry.")

In Council, October 9th, 1776.

Hon^{bl} Sir: The Schooner, Polly, having arrived from Bermuda with a Cargo, the Particulars of which will appear from the Invoices inclosed; and, the Master, Cap^t Bascome, being desirous of obtaining Permission to dispose of the same within this State; I am advised by the Council to lay the Case before you, for the Direction of the Hon^{bl} General Assembly. I am to inform you, Sir, that this is the same Vessel which cleared out for Hispaniola the 25th of July last, in Relation to which the Proceedings of the Council are herewith sent.

Altho', Sir, the Board are of Opinion that it would be highly beneficial to indulge the freest Trade with all Countries, and in the Particular Instance before them wish to be empowered to grant the Permission asked for, the original Object of the Association^{71½} having, in their Opinion, vanished ever since the Declaration of Independence, yet as that Association has never been formally abolished, it is requested that the General Assembly would be pleased to instruct the Board, for their Conduct in this Affair, & other similar Instances.

I also send you an Order of Council respecting the Disposition of Cap^t Michael Bowyer's⁷² Company of Regulars, which you will also

⁷¹Archibald Cary, president of the Senate, had been a member of all the assemblies from 1756 to 1776, and of all the Revolutionary conventions. He was one of the nine members appointed by the Burgesses to draw up remonstrances against the Stamp Act proposed by Lord Grenville. He, however, with other moderates, voted against Patrick Henry's radical resolutions. In 1773 he was a member of the Committee of Correspondence. In the Convention of May, 1776, he was chairman of the committee of the whole which reported the instructions to the Virginia delegates in the Continental Congress, for independence. He remained presiding officer of the Senate until his death.

^{71½}The non-importation, non-consumption, non-exportation agreement adopted by the Continental Congress on the 20th of October, 1774.

⁷²For reference to Capt Bowyer and other officers of the six additional regiments, see letter of Capt Robert Gamble, *Tyler's Quarterly Magazine*, Vol. III, pp. 38-40.

be pleased to communicate to the Assembly. It may be necessary to add, that since the Date of that Order, I have received Information from Gentlemen, well acquainted with the Frontiers, that that Company might be much better employed at Point Pleasant, now Fort Randolph, in strengthening the Garrison there.

I have the Honor to be

Sir, y^r mo. ob^t & very h^ble. ser^t,

P. HENRY, Jr.

To The Hon^{ble} The Speaker of the House of Delegates.

(From Journal of the Council.)

Wednesday October 9th 1776

Resolved that his Excellency the Governor be advised to write to the County Lieutenant of Augusta countermanding the Orders lately given for sending a Company of the Militia to Point Pleasant, It now appearing to be unnecessary to send the said Company of Militia there. And also that it will be proper to have Directions from the General Assembly relative to the Station of Captain Bowyers Company of Regulars.

Resolved that Brigadier General Lewis be requested to inform this Board whether the Cannon at the Capitol Landing have been proved, and how many are there.

A Letter was wrote to the Speaker of the House of Delegates respecting M^r Phripps Vessell and the disposition of Captain Bowyer's Company of Regulars- A Copy of which beginning Sir &c is filed and ordered to be registered.

(From Journal of the House of Delegates.)

Wednesday, October 9.

The Speaker laid before the House a letter from the Governour, with several papers respecting the case of Capt. Bascome, lately arrived in the schooner Polly, with a cargo of goods from the island of Bermuda, and desiring the advice of the General Assembly, whether the said Bascome, and others in similar circumstances, may be allowed to dispose of such cargoes; also respecting the station of Captain Bowyer's Company of regular forces, in the frontiers; which being read,

Ordered, That the Speaker be desired to inform the Governour that this House are of opinion it will be improper for them to interfere in any question concerning the legality of importations of goods which must be referred to the proper jurisdictions, and determined according to the rules laid down by the General Congress, and former Conventions, until the Legislature shall establish new regulations of trade.

Ordered, That the residue of the said letter, and papers respecting Captain Bowyer's company, be referred to the committee on the state of the Country.

(From Journal of the Council.)

Thursday October 10th 1776.

His Excellency having received a Letter from the Speaker of the House of Delegates (in answer to that part of the Letter wrote to him yesterday) relative to Captain Bascome whereby it appears to be the Opinion of the House That it will be improper for them to interfere in any Question concerning the legality of the importation of Goods which they think should be referred to the proper Jurisdictions and determined according to the Rules laid down by the General Congress and former Conventions until the Legislature shall establish new regulations of Trade.

Ordered therefore That Captain Bascomes Papers be returned to him and that he be referred to the Committee of Inspection and Observation for the County where his Vessel rides to determine on the Case as the matter shall appear to them.

GOVERNOR HENRY TO THE VIRGINIA DELEGATES IN CONGRESS.

(From W. W. Henry's "Henry," III, 19.)

In Council, Wmsburg, Oct^r 11th, 1776.

Hon^{ble} Gentlemen: Having this moment received from Mr. Calloway, Manager of the Lead-mines, a Return of what Lead he has on hand, & the Post being just ready to set out, I have only Time to inform you, that there are now Ten Tons of Lead, which are ready to be delivered for the use of the Continental army- The Quantity would have been greater, if there had not been lately a considerable Demand for supplying our Army sent on the Indian Expedition. By Christmas, or perhaps sooner, we may be able to spare as much more.

I should be glad to be informed in what Manner you would chuse to have it conveyed- If waggons come from Philadelphia, Mr. Calloway will have orders to load them; but as this Country is obliged to make great Remittances to Pennsylvania for goods supplied from thence, & at a Price far beyond what such Goods have usually borne, it is reasonable that we should embrace every opportunity of enabling ourselves to bear so heavy a Burden. If, therefore, I should give orders to send the Lead by Waggons belonging to this Country, I should be glad to have Instructions where and to whom they are to deliver their Loads.

I am, Gentlemen,

Your most obedient & very H^{ble} Serv^t

P. HENRY J^r

To the Virginia Delegates in Congress

(From Journal of the House of Delegates.)

Friday October 11, 1776.

The House resolved itself into a committee of the whole.

On consideration of part of the Governour's letter respecting the calling into actual service twenty-six companies of militia from several

counties, and five companies of minute-men of the Princess Anne battalion, and the papers referred to on that subject,

Resolved, That although they have the greatest confidence that the above measure was adopted by the Governour and Council from the best motives, and a sincere intention to serve the country, yet this committee are of opinion, that in the present situation of affairs, it is unnecessary to call into service any of the militia, and do therefore recommend to the Governour and Council to order back such as are already in motion, and to countermand the orders given to those who are not yet on the march. If, however, the probable approach of an enemy should render it necessary to call on the militia, they doubt not but the Governour and Council will array as many as the exigence may require, according to the power with which they are invested by law.

October 12, 1776.

Resolved, That the Governour be authorised to issue all necessary commissions under his signature, without any seal, till the seal of the Commonwealth can be provided.^{72½}

Ordered, That leave be given to bring in a bill *To continue the powers given to the Governour and Council⁷³ by an ordinance of the last Convention*, which will shortly expire; and that Mr. Starke, Mr. Bullitt, and Mr. Jefferson, do prepare and bring in the same.

Resolved, That the Governour, with the advice of the Privy Council, be empowdered to purchase, on account of the public, and at a generous price, all the salt that may be imported into this country, in the course of the next six months, and that he be authorised to issue his warrant on the Treasurer to pay for the same; that such salt, when purchased, be immediately stored in some convenient and secure part of the country, and distributed by order of the Governour, with advice of the Council, amongst the inhabitants of the different counties, in such proportions as their exigencies may require, and the quantity procured may admit, regard being principally had to such counties as are farthest removed from salt water; and that the receivers of the salt do pay into the hands of such persons as may be appointed for that purpose, at the time of the delivery, so much per bushel as the Governour, with the advice of the Council; may judge reasonable; the money, when received, to be paid with all convenient despatch into the treasury, for reimbursing the publick.

(*From Journal of the Council.*)

Saturday October 12th 1776.

His Excellency communicated to this Board the Contents of a Letter he had received from the Speaker of the House recommending to order back the several Companies of Militia called for as being being in the Opinion of that House unnecessary. It was therefore

^{72½}Hening, IX, 211.

⁷³Hening, IX, 178.

ORDERED that said Companies be Countermanded and letters to that purpose were accordingly wrote to the several County Lieutenants.

Monday October 14th 1776.

A Permit granted to the Sloop Eagle Captain Lennis to proceed on her Voyage to Saint Croix Also to the Sloop John's Relief Ephraim Gilbert Master to proceed on her Voyage to Bermuda- Manifests of both Cargoes filed and Bonds executed, acknowledged and ordered also to be filed.

A Permit granted to the Boat William Captain Mallory to proceed on her Voyage to Martinico.

(From Journal of the House of Delegates.)

October 15, 1776.

The Speaker laid before the House a letter from the Governour enclosing one from the President Rutledge to him, desiring Messrs. Warley and Lesene,⁷⁴ officers from South Carolina, might not be impeded in enlisting men in this country, and requesting the countenance and support of this State in their favour; which was read, and ordered to lie on the table.

The Speaker laid before the House a letter from the Governour, enclosing a resolution of the General Congress, which was read, and ordered to be referred to the Committee on the State of the Country.

(From Journal of the Council.)

Tuesday October 15th

Ordered that the Commissioners of the Navy Board be requested to order down to Portsmouth all such Row gallies and other Vessells that in their opinion can be best spared for purpose of assisting the Transportation of the Carolina Troops to Head of Elk on their way to New Jersey.

Upon Information given to this Board by Benjamin Harrison Junior Esquire of his preparing to fit out a Continental Vessell on a Trading Voyage and being in want of some Articles for that purpose applied for a Loan of some Canoes, Twine and a few Needles without which the said Vessell could not be completed so as to proceed on her intended Voyage- in consequence of which application a Letter was wrote to Thomas Whiting Esquire first Commissioner of the Navy Board requesting him to order to be delivered out of the Publick Store to M^r Harrison such quantity of the said Articles that he wants provided that the same can be conveniently spared from the Publick Service.

Wednesday October 16th 1776.

A Letter lately received from Col. George Mason complaining of the Order made by this Board the twentieth of last Month directing the

⁷⁴Captain Thomas Lesesne, resigned in 1779.

Brigantine Adventure to proceed to Cape Nichola Mole instead of to Dunkirk as first intended and the same having been referred to the consideration of the Navy Board. They now report their Opinion to be in favour of the former destination of the said Brigantine Ordered therefore that the order of the twentieth of last Month be rescinded.

(From the Journal of the House of Delegates.)

Thursday, October 17.

Resolved, That the Governour be desired to forward all the lead, now at the lead mines, and which can be spared from the service of this country, to the city of Philadelphia, for the use of the continent; and that he will be pleased to lay before the House the present state of the lead mines, with the number of hands employed in working the same.

Friday October 18.

The Speaker laid before the House letter from the Governour, enclosing a state of the lead mines,⁷⁵ and other papers which were read, and ordered to be referred to the Committee upon the State of the Country.

Saturday, October 19, 1776.

The Speaker laid before the House a letter from the Governour, enclosing one from Benjamin Harrison of Brandon Esquire, resigning the office of a Privy Councillor.

On Oct. 23 Nathaniel Harrison of Brandon and Meriwether Smith⁷⁶ were elected in the place of Benj Harrison and of Fielding Lewis.

A petition of John Gabriel Jones, and George Rogers Clarke, was presented to the House, and read; setting forth the distressed and defenceless situation of the inhabitants of Kentucky, and praying that some forces may be sent to their relief and protection.

(From Journal of the Council.)

Saturday October 19th 1776.

Ordered that a Commission of the Peace issue for the County of Middlesex directed to all those mentioned in the last Commission except Ralph Wormeley,⁷⁷ James Mills, Philip Grymes and Robert

⁷⁵See Hening, IX, 237.

⁷⁶Meriwether Smith (1730-1790) was a burgess in 1770; a member of the Virginia conventions of 1775 and 1776; signer of the articles of the Westmoreland Association; a delegate to the Continental Congress 1778-82, and a member of the State Convention which adopted the Federal Constitution.

⁷⁷For defence of Ralph Wormley of "Rosegill" against charges lodged against him, see V. H. M. Vol. XVIII, p. 373 *et seq.*

A creditable essay on the subject of the Virginia Loyalists appeared in the "Richmond College Historical Papers", Vol. 1, No. 1. (June, 1916). Additional information may be found in Sabine's "American Loyalists", in the articles by E. Alfred Jones, in *Tyler's Quarterly Magazine*, and in Eckenrode's "The Revolution in Virginia."

Spratt who refuse to serve, Ralph Wormley Junior and George Corbin who where of the old Council, Robert Daniel Augustine Smith and William Roane who are dead Charles Neilson who is banished and Nathaniel Carpenter who has removed out of the County- And it is further ORDERED that the following Gentlemen who have been recommended by the Court of the said County be added namely D. Daniel, George Bird, Lodowick Jones, Henry Vass, Lewis Dudley, Thomas Segar, Robert Dan, and John George and that the first eight be of the Quorum.

Saturday October 19th 1776.

Ordered that Brigadier General Lewis or the commanding Officer present be requested to order a General Muster to be made as soon as may be of the Minute Men stationed at Gloucester Town and that a return thereof be made to this Board. And also that he be further requested to transmit to this Board all the Returns that have been made of the said Companies since their being stationed at the said Town.

Ordered that a Commission of the Peace issue for the County of Frederick directed to all those mentioned in the last Commission except Lord Fairfax,⁷⁸ Robert Throckmorton and Edward Snickers who acted in that Commission before the establishment of the present Government but have not qualified themselves since, Thomas Bryan Martin and William Booth who refuse to serve, Charles Smith who is dead and Warner Washington Junior who desires to be left out- And it is further ORDERED that the following Gentlemen who have been recommended by the Court of the said County be added namely Marquis Calmes, Robert Wood, William Gibbs, Philip Bush, Robert White Joseph Holmes, Thomas Helm, Edward McGuire, and Edward Smith and that the first nine be of the Quorum.

Tuesday October 22, 1776.

A Permit granted to the Sloop Friendship laden with Tobacco Also to the Schooner Molly laden with Tobacco and Household Furniture the property of George Meade and Company to proceed from Alexandria to the Head of Elk. Also to a Pilot Boat belonging to Solly Adams to proceed from Wicomico to Falmouth.

(From Journal of the House of Delegates.)

Tuesday October 22, 1776.

Resolved, That the Governour be desired to transmit to our delegates in General Congress an account of the expences incurred in the support and maintenance of the several prisoners of war in this country, in order to obtain satisfaction for the same of the commander of the British forces in America.

⁷⁸Thomas, sixth Lord Fairfax of Cameron, (1693-1781), was the patron of Washington in the latter's youth. His seat was "Greenway Court", Frederick County.

Wednesday October 23.

The Speaker laid before the House a letter from the Governour, enclosing one from Col. Christian⁷⁹ relating to the Indian Expedition, together with several other papers, which were read, and ordered to lie on the table.

(*From Journal of the Council.*)

Wednesday October 23, 1776.

Information being given to this Board that fifteen thousand pounds of Lead has been made at the Mines under the direction of M^r Calloway exclusive of the Quantity of which he had lately made a Return, and that M^r John Talbot had offered his Waggon to convey the same to Edmund Winstons Warehouses on James River in its way to Philadelphia to be delivered to the order of Congress- His Excellency therefore hath with the advice of this Board wrote to M^r Calloway directing him to deliver fifteen Tons of the said Lead to M^r Talbots Waggoners provided he engages to carry the same on as low Termes as it can be got to be done by any other Person.

Thursday October 24th
1776.

ORDERED that the Captains of the Minute Service discharge upon Application of the Commissioners of the Navy such Ship Carpenters, Blacksmiths or Marines that are enlisted in their respective Companies provided they are desirous to be discharged and are willing to engage in such Businesses that the said Commissioners may judge proper to employ them in.

(*From the Virginia Gazette, November 1, 1776.*)
(*Under Advertisements.*)

IN COUNCIL at Williamsburg, October 25, 1776.

Ordered that all the soldiers belonging to capt. *Smith's* minute company attend at *Gloucester* courthouse on the first *Thursday* in *November* next, being court day, in order to receive their pay from *William Yates*, esq; muster-master general of the southern department, who is requested to attend for that purpose.

(*From Journal of the House of Delegates.*)

Friday, October 25.

Resolved, That the Governour and Council be desired to take such measures for the preservation or disposition of the horses and provision mentioned in the letters of Mr. Thomas Madison, as from present circumstances or future events shall appear to be the most proper and conducive to the interest of the country.

⁷⁹Letters of Col. Christian, dated October 9, 14 and 15, are printed in "Colonial Records of North Carolina", Vol. X.

Resolved, That it be recommended to the Governour and Council that they give instructions to the commanding officer of the army destined against the Cherokees, to take such steps at the end of the campaign for the future safety and protection of the south-western frontier of this State, as shall appear to them to be necessary and proper.

Wednesday, October 30, 1776.

The Speaker laid before the House a letter from the Governor, informing him that the low state of his health rendered him unable to attend to the duties of his office, and that his physicians had recommended to him to retire therefrom into the country till he should recover his strength, which being read,

Resolved, That the Speaker be desired to inform the Governour, that this House, sincerely concerned that his indisposition should deprive the Commonwealth of the benefit of his services, approve of his proposition to retire from the duties of his office⁸⁰ until his better health shall enable him to return to them.

Resolved, That the Governour, with the advice of the Privy Council be desired to employ so many of our cruisers, or other vessels, as are fit for the purpose, in exporting the produce of this country to such foreign ports, those of Great Britain excepted, as may be judged most proper for obtaining a speedy and effectual supply of necessaries for our army and navy; a proper quantity of salt, and a sufficient number of cotton and wool cards, for the use of the inhabitants of the country, to be distributed in such manner as may be judged necessary, and paid for at such prices as those articles may cost, all charges included.

The Speaker laid before the House a letter from the Governour, enclosing two letters from Colonel Christian, relating to the Indian expedition: which were read, and ordered to lie on the table.

Friday November 1.

A bill To empower the eldest Privy Counsellor, in case of the death, inability, or necessary absence of the Governour and Lieutenant Governour, to perform the executive part of the government, was read a second time, and ordered to be committed to a committee of the whole House.⁸¹

(From Journal of the Council.)

Monday November 5th [4th] 1776.

Resolved that Edward Ross Master of the Sloop three Friends lately arrived in James River from Curracoa be permitted to dispose of the remainder of his Cargo consisting of thirty Cases of Gin and one hundred and ten pieces of striped Linnen and that he be allowed

⁸⁰After the departure of the Governor the business of the Executive was transacted, for some days, by Dudley Digges and Batholomew Dandridge subject to confirmation of a quorum.

⁸¹The bill passed the House of Delegates and was agreed to by the Senate on November 8. See Hening, IX, 212.

to trade in this Commonwealth to amount of his Cargo consisting of the aforementioned Articles and of fifteen hundred Bushells of Salt imported in the said Vessell which last Article was purchased this day by the Board for the use of the Publick at twelve shillings and six pence per Bushell and threepence as freight in conveying it up Rappahanock River Captain Ross produced a Manifest of the foregoing Cargo & which he swore to and delivered in at the Board.

In consequence of the Purchase of Salt made of Captain Ross Letters were wrote to Feilding Lewis Esquire at Fredericksburg and Robert Gilchrist Esquire at Port Royal⁸² relative thereto Copies whereof were filed and ordered to be recorded.

Resolved that William Taylor Master of the Sloop Bold Defiance lately arrived in James River from Turks Island be permitted to dispose of his Cargo consisting of two thousand four hundred Bushels of Salt and that he be permitted to trade in this Commonwealth to the amount of the said Cargo- Captain Taylor produced a Manifest which he swore to and delivered in at the Board.

Tuesday November 6th [5th] 1776.

The President administered the Oath appointed to be taken by Privy Counsellors unto Nathaniel Harrison- Esquire elected a Member of this Board in the room of Benjamin Harrison Junior Esquire who has resigned and being sworn accordingly took his Seat at the Board.

A Bond of John T. Corbin⁸³ in the Penalty of ten thousand Pounds conditioned not to give Intelligence to or in any measure aid or assist the Enemies of America was delivered by the Speaker of the House of Delegates to a Member of this Board in order that it might be filed- and it was accordingly filed with the other Bonds. This Board being informed by the Commissioners of the Navy Board that the Vessells are ready that were directed to be provided for the purpose of taking on board the Cargoes that had been purchased on the several Rivers in order to the carrying on the Scheme of Trade lately adopted It is therefore ORDERED that the said Commissioners be requested to give what Orders and Instructions may be necessary for that Business that the Vessells may take in their several Cargoes without delay.

(From Journal of the House of Delegates.)

Thursday November 7.

The Speaker laid before the House a letter from the President of the Privy Council, which was read. and ordered to lie on the table.

The Treasurer, on Thursday, December 5 reported, that the committee had, according to order, had under their consideration the letter from President Page, to him referred, and had come to the following resolutions * * * *

⁸²Port Royal, Caroline County.

⁸³John Tayloe Corbin had been a burgess and councillor of State.

Resolved, That Chevalier St. Aubin be appointed adjutant to the six troop of horse raised in this Commonwealth, to rank as a junior captain of the squadron, and be allowed 7s. 6d. per day.

Resolved, That there be allowed the said squadron a surgeon, to be chosen by the major and captains of the same, and that his pay be 10s. per day.

Resolved, That the said squadron be allowed a chaplain, to be chosen by the officers aforementioned, and that his pay be 10s. per day.

Resolved, That each non-commissioned officer and common trooper in the said squadron be furnished, at the publick expense, with a coat, a cap, a pair of leather breeches, and a pair of boots and spurs, or twenty dollars in lieu thereof.

(From Journal of the Council.)

Thursday November 7th 1776.

It being represented to this Board, That Barracks having been at a considerable expence erected in the County of Northumberland for the Minute Men of that District and that the same are now of no Service to the Publick- It is Ordered that the materials of the said Barracks be sold for the best price that may be had.

It being represented to this Board by M^r Joseph Hawkins Contractor to the fifth Regiment- That by the removal of the said Regiment to New York the Quantity of six thousand three hundred and thirty eight pounds of Bacon that he had purchased for the said Regiment at ninepence per pound remained on his hands and a Certificate being produced by him that the same had been weighed and examined by Benjamin Powell and Humphrey Harwood Gentlemen- This Board is of Opinion that the said Bacon ought to be taken for the use of this State and that the same be delivered to William Aylett Esquire to be used or disposed of as he may judge most beneficial for the Public Interest.

Friday November 8th 1776.

A Permit granted to the Sloop Betsey Benjamin Williams Master (lately arrived with Salt from Bermuda) to proceed on her return with a Cargo consisting of two hundred and seventy Bbls of Flour, sixty of Ship Bread, and three hundred Barrels of Indian corn, seventy Kegs of fine Bread and one hogshead of Tobacco.

A Permit granted to the Sloop John and Mary, Banister How Master to proceed on her Voyage to Saint Eustatia.

A Letter was wrote to Capt. Michael Bowyer respecting his Company and another to the County Lieutenant of Augusta. Copies of both which are filed.

Saturday November 9th 1776.

M^r Raleigh Colston⁸⁴ having offered his Service to this Board as an Agent for the Commonwealth in one of the Foreign West India

⁸⁴Raleigh Colston (1747-1823) was a merchant of Williamsburg who had taken a course in law. He remained at his post as commercial agent at Cape Francois, San Domingo, until 1784. Letters by him are preserved in the Virginia State Archives.

Islands- It is RESOLVED that on Information of his Arrival there and Place of his Residence (provided no Agent be already appointed) that he be appointed to negotiate all such Commerical Affairs as this Board may have occasion to transact on behalf of this State.

Ordered that a Warrant issue to Archibald Blair for fifty pounds on account of his Services as Clerk of this Board.

Monday November 11th 1776.

Ordered that the Commissary of Stores deliver to the Keeper of the Public Jail such Cloathing and Blanketts that he may want in consequence of a Resolution of the House of Deligates.

Thursday [Tuesday] November 12th 1776.

The President administered the Oath appointed to be taken by Privy Counsellors unto Meriwether Smith Esquire elected a Member of this Board and who being sworn took his Seat accordingly.

Wednesday November 13th 1776.

On the Information of Col. Samuel Meredith⁸⁵ of the first Battalion of Minute Men now stationed at Portsmouth, that a general dissatisfaction and uneasiness prevails among the Troops on account of the great length of time they have been on Duty and consequently absent from their families and Estates and therefore they pray to be relieved by other Companies of Minute Men or Militia that have not lately been on actual duty- It is therefore RESOLVED that the Complaints of the said Troops are reasonable and that this Board will take proper Measures to disband or releive them on or before the twentieth day of December next.

This Board taking into Consideration a Resolution of the House of Delegates passed the thirtieth day of October last desiring the Council to employ such a number of our Cruisers or other Vessells that may be necessary for the exporting the Produce of this Country to foreign Ports those of Great Britain excepted and importing from them such Necessaries that are requisite both for our Army and Navy together with Salt, Cotton and Wool Cards for use of the Inhabitants which Articles are to be distributed as this Board shall direct and paid for by the Purchasers at the rate of their first Cost and Charges of importation. It is therefore ORDERED that the Commissioners of the Navy lay before this Board a list of all the Cruizers and other Vessells belonging to the State distinguishing their respective conditions and how they are at present employed.

⁸⁵Samuel Meredith (1762-1808) was captain of a company in the French and Indian War; captain of an independent company of Hanover in 1775; burgess for Hanover County in 1766-1769; member of the Convention of December, 1775; colonel of the first battalion of minute men in May, 1776; later, lieutenant-colonel of Amherst militia. Meredith's second wife was Patrick Henry's sister, Jane Henry.

Thursday November 14th 1776.

Resolved that this Board will purchase for the use of this State any quantity of salt that Nathaniel B. Savage and Company shall import within four weeks from this time at twelve shillings and six pence per Bushell and a further allowance of three pence per Bushells for delivering the same at such Places as this Board may direct when called upon by the Captains for Instructions.

Ordered that the Minute Men now on duty at any of the Salt Works be immediately discharged and that Application be made by the Managers of the said Works to the Governor in case it should be necessary to replace them.

(From Journal of the House of Delegates.)

Saturday November, 16.

Resolved, That the Governour be desired to write to the Delegates from this State to the General Congress, informing them the General Assembly have, according to the requisition of Congress, passed an act for raising six additional battalions of infantry⁸⁶ on the continental establishment; but that the progress of recruiting the said levies will be greatly impeded by the want of the bounty offered by Congress to the soldiers who shall enlist, as their paymaster here is unable to advance the same, and the present circumstances of our treasury will not admit of our giving assistance therein, as we would otherwise cheerfully do, and recommending that the money may be forwarded with the utmost expedition; and that they be desired to inform Congress this House are apprehensive it will be impossible to procure arms in this State for the said troops, and requesting their attention to that subject.

DUDLEY DIGGES, ACTING LIEUTENANT-GOVERNOR, TO
EDMUND PENDLETON, SPEAKER OF THE
HOUSE OF DELEGATES.

(From Virginia Historical Magazine, XVII, p. 281.)

W^msburg, November 16, 1776.

Hon'ble Sir:

The Council having been informed by Colo. Meredith, of the first Battalion of Minute men that a general dissatisfaction prevails in that Corps, on account of the great length of time they have been on duty, and of course absent from their Families and Estates, and that they are therefore, extremely anxious to be relieved by such other companies of minute men or militia as have not lately been employed; In consideration not only of the length, but the severity too, of some part of their service and reflecting that their original Destination was to North Carolina, for the Assistance of our Brethren there, that after a fatiguing March in a very unfavorable Season of the year, they were countermanded and marched back, that they were then sent, some of them to

⁸⁶See Hening, IX, 275.

York, the rest to Hampton, where they long employed as Garrisons; and lastly for the like Purpose sent to Portsmouth, the Place of their present Station. The Board could not but be of the opinion, that their complaint is just, and in consequence thereof, have signified to Colo. Meredith that they will take proper measures for relieving them on or before the 20th day of the next month.

Yet there is some Difficulty attending the choice of those measures, the minute companies seem generally to be much broken; and the Hon'ble House of Delegates have disapproved of the former advice of the Council for calling the Militia into service. On the other hand, to disband the present garrison at Portsmouth, without appointing another to succeed them, and thus leave the Expensive and important Works there to the mercy of the enemy, seems to be most unadvisable. In this strait, it was judged, Sir, the best way, to communicate this Business to your hon'ble House, as it may perhaps have some Influence upon their Deliberations on subjects they are already possessed of. I am Hon'ble Sir

Your most respectful & most obedient Servant,

DUDLEY DIGGES

To The Hon'ble Edmund Pendleton Esquire
Speaker of the House of Delegates.

[Laid before the House of Delegates on Monday November 18, and ordered to lie on the table.]

(From Journal of the Council.⁸⁸)

Monday November 18th 1776.

Ordered that the commanding Officer at Portsmouth 'cause diligent Search to be made for the Stills supposed to be sunk near the Glebe in the Western Branch and that if any of them are found to take proper care of them until the further order of this Board, but that in the mean time he have the same appraised and return such Appraisement to the Council as soon as it can be conveniently done.

GOV. HENRY TO JOHN HANCOCK, PRESIDENT
OF CONGRESS.

(Continental Congress Papers—Va. State Papers, vol. 71 (I).)

W^msburgh Nov^r 19th 1776

Sir

Inclosed is a Bond from Major Sims⁸⁹ & his securitys, who are sufficiently able, for duly accounting for the recruiting money neces-

⁸⁸The Governor was present once more at this meeting of the Council.

⁸⁹Charles Simms, major 12th Virginia, 1776; lieutenant-colonel 6th Virginia, 29th September 1777; transferred to 2nd Virginia, 1778; resigned in 1779.

sary to raise one Battallion of which he is appointed a Major. I have the honor to be

Sir

y^r mo. ob^t hble serv^t

Honble M^r Hancock

P. HENRY J^r

Note: Attached to above note is the bond of Charles Simms of the County of Yohogania, James Wood⁹⁰ of the County of Frederick, and Abraham Hite of the County of Hampshire.

(From Journal of the Council.)

Wednesday November 20th 1776.

The Commissioners of the Navy⁹¹ having informed this Board that the Schooner Revenge Capt. Deane is ready to proceed to Sea and desired to know if Coracca would be a proper Port for her destination- It is ORDERED that his Excellency the Governor be required to write to Thomas Whiting Esq. first Commissioner of the Navy informing him that as there is no Agent for the State at that Place This Board are of Opinion that the said Schooner and her Cargo should be consigned to Mess^{rs} Vanbibber and Harrison Agents for this Commonwealth at Martinico. And his Excellency is further required to write to the said Mess^{rs} Vanbibber and Harrison to pay a proper Regard to such Instructions that they may receive from the Commissioners of the Navy of this State and that they make their Returns to the said Commissioners who are to report the same to this Board.

Thursday November 21 1776

His Excellency the Governor having by an Express received Intelligence that upwards of one hundred Sail of the Enemy's Ships- have moved from New York and are Steering Southwardly. It is the Opinion therefore of this Board that a sufficient Force should be collected for the protection of this State. For which Purpose a circular Letter was written to the County Lieutenants of Princess Ann, Norfolk, Nansemond and Isle of Wight Counties directing them immediately to embody one half of such part of the Militia in their respective Counties that are furnished with Arms and to March such Militia to Portsmouth there to act under the commanding Officer of that Station. Also a Letter to the said commanding officer communicating this Intelligence to him that he may be upon his Guard.- A circular Letter was also written to the County Lieutenants of the following Counties

⁹⁰James Wood (1750-1813) was a son of Col. James Wood, founder of Winchester. The Virginia Convention of 1776, of which he was a member, appointed him colonel of the 8th Virginia Regiment. After Burgoyne's capitulation he was put in charge of the prisoners at Charlottesville. In 1783, as brigadier-general of State troops, he served during the Indian disturbances.

Gen. Wood was governor of Virginia 1796-1799, and president of the Society of the Cincinnati from October 9, 1784, until his death.

⁹¹The Navy Board consisted of Thomas Whiting, John Hutchings, Chapion Travis, Thomas Newton, Jr., and George Webb.

For list of officers of the Virginia Navy, see V. H. M. Vol. I, 64 *et seq.*

to embody and march to Williamsburg the part of their respective Militia's as following James City fifty Men besides a Minute Company; Charles City fifty, New Kent one hundred and fifty King William one hundred, Henrico one hundred King and Queen fifty besides a Minute Company and Surry fifty. And a Letter was also written to Capt. James Barron requesting him immediately to keep a strict Lookout and make known to this Board the Manoeuvres of the Enemy.

ORDERED that the Keeper of the Magazine deliver to Mr Hunters Waggoner five hundred Pounds of Powder and fifteen hundred pounds of Lead for the use of the Garrison at Portsmouth.

ORDERED that Brigadier General Lewis be requested, if he approved of it to order Lieut. Col. Spotswood⁹² and such Companies of the second Battalion that have been recruited immediately to march to Hampton for the purpose of protecting that Post until proper Measures for that end can be adopted by this Board.

ORDERED that his Excellency the Governor be requested to write to Capt. John Dixon to have the ten thousand weight of Gunpowder now in his Custody belonging to the State removed immediately to Hanover Town, and also at the same time to inform him that all Expences attending the Transportation thereof shall be paid by the Publick.

(From Journal of the House of Delegates.)

November 21.

The Speaker laid before the House a letter from the Governour, enclosing one from the President of the General Congress, and another from Mr. Searle of New Jersey; which were read, and ordered to be referred to the committee of the whole House upon the state of the country.

* * *

Resolved, That this committee do highly approve of the steps taken by the Governour and Council in consequence of the intelligence received from the Hon. the President of the Congress, as well to gain certain information of the destination as in providing for the security of the fortification at Portsmouth, at the same time to assure the Governour of the entire confidence we place in him and the Council; that in case of the probable approach of the enemy, they will exert the powers with which they are invested by law to call in such farther draughts of the militia as circumstances may make necessary for repelling the invasion.

Friday, November 22.

The Speaker laid before the House a letter from the Governour, enclosing one from George Wythe, esq. with the proceedings of Mr. John Gibson, on his embassy to the southward, and another from our Delegates to the General Congress, with a resolution of Congress; which letters and papers were read, and ordered to be referred to the Committee upon the State of the Country.

⁹²Alexander Spotswood, major 2d Virginia, 1776; lieutenant-colonel 7th May, 1776; colonel, 21st February, 1777; resigned 9th October, 1777.

(*From Journal of the Council.*)

Friday November 22nd 1776

Col. Aylett^{92½} the Deputy Commissary of the Continental Army having represented to the Board the impracticability of supplying the Troops with rations as prescribed by Congress which if they could be procured would probably not give the satisfaction to the Troops here as might be expected from the Rations that have been usual and which it is supposed can be furnished as cheap as the others. It is therefore ORDERED that the Governor be requested to write to our Delegates in Congress stating the substance of the above Representation, inclosing also an Account of the Rations allowed by the State and recommending the Adoption thereof for the Continental Troops serving in this Commonwealth.

[Gov. Henry wrote to Richard Henry Lee on November 22, as stated in Lee's letter of Nov. 24-25, "I thank you for your favor of the 22^d with its inclosures and will answer your letter by the next post, not being able to do it now with proper effect- I know we want Vessels both on Charter and to purchase in Virg^a & Maryland.- But more of this hereafter."]

(*From Journal of the Council.*)

November 23^d 1776.

ORDERED that the Governor be requested to give Instructions to the commanding Officers of the nine old Battalions that they use their utmost Endeavours in the speedy recruiting their respective Battalions agreeable to the late Establishment of Congress- that they apply for such Sums of Money that may be necessary either to the Committee of Congress or the Continental Paymaster-, and also that the Governor write to the several Field Officers and Captains pressing them to exert their utmost Abilities on the Occasion.

Monday November 25th 1776.

Ordered that the Commissioners of the Navy be requested to direct a Galley to the Capitol Landing as soon as it can be conveniently done in order to convey a Quantity of Powder to Hanover County- the Quantity now lying in the Magazine being judged to be too large for one Station.

^{92½} William Aylett was appointed "deputy commissary general for supplying the troops of Virginia with rations" April 27, 1776. On the reorganization of the department of the commissary of purchases he was appointed on June 18, 1777, one of the four deputy commissary generals under Commissary General Joseph Trumbull. Aylett also acted as agent for carrying on the trade of the State and director of the State store until Dec. 3, 1777, when he resigned and was succeeded by Thomas Smith. He continued as commissary general until his death at Yorktown in 1781.

Before the war Col. Aylett had served for several sessions in the House of Burgesses as a member from King William. He was also a member of the convention that adopted the first constitution of Virginia. For published correspondence see *Tyler's Quarterly Magazine*, Vol. I, p. 87 *et seq.*

(From Journal of the House of Delegates.)

Tuesday November 26.

Ordered, That the Speaker be desired to enclose the several resolutions of the General Assembly, giving instructions to our Delegates in General Congress, requesting him to transmit the same to the said Delegates.

The Speaker laid before the House a letter from the Governour, enclosing one from the President of the General Congress, and several resolutions of that honourable body; which were read, and ordered to lie upon the table.

Wednesday November 27.

The Speaker laid before the House a letter from the Governour enclosing one from col. Christian,⁹³ on the subject of Indian affairs, which was read, and ordered to lie upon the table.

*(From Journal of the Council.)*Tuesday November 26th 1776.

A Permit to the Sloop Washington Captain Moseley to proceed on her Voyage to Corracoa.

Wednesday November 27th 1776.

A Permitt granted to Sloop General Mercer Captain William Lewis.

A Permit granted to the Schooner Fanny Captain Benjamin Clu-veries to proceed on her Voyage to Curraccoa.

A Permitt granted to the Schooner Liberty Captain Buckner the property of William Black to proceed with her Cargo of Coal and Tobacco to the Head of Elk.

A Permitt granted to the Schooner Betsey Captain Hague the property of the said Hague and others to proceed with her Cargo of Coal and Tobacco to the Head of Elk.

A Permitt granted to the Sloop Betsey Captain Selden to proceed with her Cargo of Coal to the Head of Elk.

⁹³The *Virginia Gazette* of November 29, 1776, announces: "On Monday an express arrived from Congress to the Governor enclosing a letter from General Green, dated Fort Lee, Nov. 12th, to that honourable body, which contains the following advices, viz. That he was informed by a friend who fled from Staten island, that a body of 10,000 troops under the command of lord Dunmore, were embarked for South Carolina" etc. etc.

"And on Tuesday night an express arrived from col. Christian, with despatches to his Excellency, advising of his having returned from the Cherokee country, after concluding a treaty of peace with Oucanastota, and three other chiefs, on the part of the whole nation, in their capital of Chote", etc. etc.

Thursday November 28th 1776.

Ordered that his Excellency the Governor be requested to write to Capt. James Barron desiring him to inform the Masters of all Vessells that may hereafter arrive to attend this Board and make a report of the state of their Cargoes before they either break Bulk or agree for the Sale of any part thereof.

Friday November 29th 1776.

An Invoice of Goods absolutely necessary for the Service of this State was produced by Monsieur Duncuff Germaine and offered for Sale to this Board who accordingly purchased the same and the Invoice thereof is Ordered to be filed.

This Board having purchased of Monsieur Duncuff Germaine a valuable Cargo of Goods consisting of Articles immediately wanting for the use of this State, in the negotiating of which purchase, the Board was obliged to engage a considerable Sum of Specie, or in lieu thereof, to furnish the said Germaine with a Vessel that he might (whilst his own was repairing) export some of our Commodities- It was therefore Resolved to charter a Vessel to the said Germaine and that the Navy Board be requested to furnish such a Vessel that can be the most conveniently spared & proper for the purpose of completing this Boards Engagement.

Ordered that the Commissioners of the Navy Board be requested to direct the Schooner Adventure Capt. William Saunders to proceed to Saint Eustatia or Martinico and consign the said Vessel with Cargo to our Agents at those Places giving such Instructions to the Captain as they may judge proper.

Ordered that his Excellency the Governor be requested to direct the Commissary of Stores to deliver such Cloathing as may be necessary for the Slaves employed at the Lead Mines.

(Journal of the House of Delegates.)

Friday November 29.

A letter was read from James Mercer Esquire, resigning his seat as a member of the Privy Council.

[On December 4 David Jameson⁹⁴ was elected to succeed him.]

Also a letter from the Governour, enclosing one from President Rutledge of South Carolina, with a letter from brigadier general Howe, requesting that Messrs. Pinkney and Ladson, officers from that State, may be permitted to recruit soldiers in this country; which were read, and ordered to lie on the table.

⁹⁴David Jameson, a merchant of Yorktown and a man of some scientific attainments. In 1781 he served as lieutenant governor, under Thomas Nelson, and was later a member of the State Senate. His nephews David and John Jameson were officers.

*(From Journal of the Council.)*Saturday November 30th 1776.

A Permitt granted to the Schooner Betsey Capt. Ford to proceed on her Voyage to Martinico.

A Permitt granted to the Schooner Peggy Capt. Zachariah Rowland to proceed on her Voyage to Martinico.

A Permitt granted to the Schooner Rambler Capt. Jonathan Bufington to proceed on her Voyage to Saint Eustatia.

The Board being informed that Capt. Lilly has not yet sailed notwithstanding repeated Orders have been given him for that purpose It is therefore Ordered that the Navy Board be requested to make strict Enquiry into the Conduct of Capt. Lilly who is suspected of having made unnecessary Delays.

Monday December 2nd 1776.

Ordered that the Governor be requested to write to the several Officers commanding the five Companies stationed on the Ohio- pressing them to use their utmost Endeavours for the speedy Reenlistment of their respective Companies agreeable to the new Establishment of Congress.

A Permitt granted to the Aurora⁹⁵ Capt. John Hutchinson the Property of John Richards, Hall and Hornor and Watson and Taylor and burthen two hundred Tons or thereabouts to proceed on her Voyage to Nants in France agreeable to a Resolution of Congress.

A Permitt granted to the Schooner Richmond Captain Alexander Massenburg to proceed on her Voyage to Martinico.

Tuesday December 3^d 1776.

A Permitt granted to the Schooner Boat Diana Captain David Davis.

Ordered that the Commission granted by the Committee of Safety to Richard Taylor appointing him Captain of the Armed Schooner Hornett be now renewed and issued in the name of the Governor.

The Board being informed that the Schooner Hornett Capt. Taylor and the Sloop Defiance Capt. have their respective Cargoes on board and are now ready to proceed to Sea . . . It is therefore the Opinion of this Board that the Hornet should go to Cape Francois consigned to the Captain and that the Defiance should sail for Surinam and be consigned to Raleigh Colston Esquire- Ordered therefore that the Navy Board be requested to give the several Captains Instructions for their Conduct.

⁹⁵John Hancock wrote to Governor Henry on Nov. 12, "The Secret Committee of Congress having chartered and loaded in the State of Virginia the Aurora, on account of the Contient, and the voyage on which she is bound being a most important one, I have it in charge from Congress to request you will give all the assistance in your power to expedite her sailing, by issuing such orders as you shall judge proper for manning and despatching her with the greatest expedition."

(From the Journal of the House of Delegates.)

Thursday, December 5, 1776.

The Speaker laid before the House a letter from the Governour, enclosing one from the War Office in the city of Philadelphia, requesting that the light horse in the service of this State may be marched with all possible expedition to join General Washington; and the Governour also, in his letter, submitted to the House the propriety of the masters of the College having the appointment of the surveyors to the new counties. Which being read,

Resolved, That the Governour be desired to give proper orders for the immediate march of the troops of horse raised in this Commonwealth, with their officers, to join General Washington, agreeable to the requisition of the War Office in Philadelphia, and to transmit to the said office a list of such articles as the said troops may stand in need of.

Resolved, That so much of the Governour's letter as relates to the masters of the College, their granting commissions to surveyors, be referred to the committee of the whole House.

(From Journal of the Council.)

Friday December 6th 1776.

On the Recommendation of the Navy Board . . . It is Ordered that a Commission issue to William Green appointing him Captain of the Sloop Defiance in the room of Capt. Callender.

On the Representation of Peter Lepool Esquire setting forth that he is about to leave this State with an intention to settle in the City of Amsterdam for the purpose of Negotiating Business there for this Continent by way of Consignments- *Resolved* therefore that this State will consign to the said Peter- Lepool such Tobacco or other Commodities that may be necessary to be exported to Amsterdam for the purpose of purchasing the Manufacturies of Holland.

Ordered that the Commissioners of the Navy Board be requested to direct one of the Row Gallies or some other armed Vessell belonging to this State to proceed immediately to the Head of Elk for the purpose of transporting seven hundred stand of Arms, purchased by our Delegates in Congress and lodged at that Place under the care of M^r Hol- lingworth- and that the said Commissioners give Instructions to Captain of such Vessell that may be sent for the aforesaid Purpose⁹⁶ to return with the said Arms to this Place as soon as possible.

⁹⁶See Lee's letter to Gov. Henry in Ballagh's "Letters of Richard Henry Lee", I, 228.

GOVERNOR HENRY TO RICHARD PETERS, ESQ.⁹⁷*(From W. W. Henry's "Henry," III, 32.)*

Williamsburg, Dec. 6, 1776.

Sir: I lost no Time in laying your letter before our Assembly, & late last night they did resolve, that the Troops of Horse⁹⁸ (Six) shall be marched to join General Washington. I have issued the necessary Orders this morning to the Major Commandant to prepare for the march. But before it can be begun I fear a considerable Time will elapse, owing to the Troopers being in want of many necessaries. I shall as soon as possible transmit to you an Acct of such things as cannot be had here for them, that they may be got with you. The prisoners of War are scatter'd in different places in this State, but will be collected & sent to Brunswick. I am,

Sir,

Y^r mo. ob^t Serv^t,

P. HENRY, Jr

Patrick Henry to Richard Peters, Esq.,
At the War Office, Philadelphia.

GOVERNOR HENRY TO EDMUND PENDLETON, SPEAKER
OF THE HOUSE OF DELEGATES.*(From Virginia State Archives.)*Williamsburg, Dec^r 6th 1776.

Hon. Sir: As by the Act of Government it is directed that the Governor with the Advice of the privy Council shall exercise the executive Powers of Government, a Doubt arises whether the Governor alone may issue a warrant upon the Treasury for the Payment of any Money on Accounts certified by the Commissioners. From Experience it is found impracticable to attend to many Matters of Consequence to the Safety of the State, if the Council are, not only to advise the issuing of Warrants upon such Certificates, but also to keep Records of the same.

We think it proper to acquaint the General Assembly with these our Sentiments; and we beg leave earnestly to recommend it to their consideration, whether it would not be to the Advantage of the State if the Commissioners were empowered finally to transact this Business,

⁹⁷Richard Peters was Secretary of the Board of War (Philadelphia) from June 13, 1776, until Nov. 27, 1777, when he was made a member of the Board, continuing till Nov. 19, 1781, when he was appointed acting secretary of war. Later he was representative in Congress from Pennsylvania.

⁹⁸Virginia cavalry regiments performed exceptionally distinguished service in the Revolution War. (See "History of Virginia, Vol. II., The Federal Period, 1763-1861", pp. 232, 233. This volume was written by Dr. Lyon G. Tyler.)

or some other regular Mode adopted for the future settling & passing the accountps against this State.

By advice of Council

P. HENRY Jr.

To the Hon. Edmund Pendleton,
Speaker of the Ho. of Del.

[Endorsed:] Letter from the Governor Dec. 6 1776 relating to Draughts on the Treasury.

(From Journal of the House of Delegates.)

Friday, December 6.

Resolved, That the Governour be empowered to employ proper persons to purchase all the copper and brass that can be had in this commonwealth, and to take proper measures to have the same cast into such cannon, and of such form, as will be the most useful for the field, and issue his warrants to the Treasurer for such sums of money as may be necessary for that purpose.

On motion made,

Ordered, That it be an instruction to the committee appointed to prepare and bring in a bill To make provision for defraying the expenses of erecting fortifications, and other purposes therein mentioned, to receive a clause, or clauses, to empower the Governour, by and with the advice of the Privy Council, to form out of the two militia companies in the town of Alexandria, in the county of Fairfax, one artillery company, to consist of 50 matrosses, with proper officers, to be duly exercised at the batteries in the said town twice a week, and to mount proper guards at the same, to receive only, when upon duty, the same pay and provisions with other artillery companies, pursuant to the first resolution of the committee.

(From Journal of the Council.)

Saturday December 7.

THE GENERAL ASSEMBLY having in consequence of an Application from the War Office at Philadelphia directed that the Troops of Horse belonging to this State should be immediately ordered to march to the assistance of General Washington and it appearing to this Board that the said Troops ought from that time to be considered as Continental. It is therefore ORDERED that it be recommended to General Lewis to give the necessary Directions for providing Waggons for the March.

Ordered that a Receipt for twenty two Casks of Sulphur imported into the Eastern Shore by Jenefer and Hooe and belonging to the State be delivered to Southey Simpson Esq. who is requested to make enquiry for the said Sulpher and have the same conveyed to some convenient Place on the Bayside informing this Board so soon as it is ready for their further Order or Direction.

Ordered that the Navy Board be requested to consign the Schooner Speedwell Capt. Cooke to the Address of Mess^{rs} Van Bibber and Harri-

son at Saint Piere at Martinico- and that the Agents (if to be had) from Martinco- if not that they take proper measures to trade with the Inhabitants of this State for the same.

The General Assembly having in consequence of an Application from the War Office at Philadelphia directed that the Troops of Horse belonging to this State should be immediately ordered to march to the assistance of General Washington and it appearing to this Board that the said Troops ought from that time to be considered as Continental- It is therefore Ordered that it be recommended to General Lewis to give the necessary Directions for providing Waggons for the March.

Monday December 9th 1776.

Ordered that all the Lead now in the possession of M^r Samuel Todd of Botetourt County and supposed to be three thousand-nine hundred weight be forthwith conveyed to Hampshire Court House and be there deposited under the care of Col. Abraham Hite, who is requested to forward the same to Yohogania, Mohongalia and Ohio Counties in equal Quantities for the use of those County Militias.

Ordered that M^r Isaac Zane be requested to furnish with the utmost expedition four and twenty Salt Pans of such Dimensions as he may think the most usefull and convenient for the purpose of Boiling Salt at the different Works erected in this State and that he have them sent to the Towns of Falmouth or Fredericksburg without delay.

Ordered that all the Military Stores belonging to this State and now in the Magazine at Hampton be immediately conveyed to the Magazine in this City (Williamsburg)- And that all the Provision at that Station not fit for use be sold- And that Capt. King be requested to Have this Order executed.

On the Application of John Worcot Esquire of Georgia Permission was granted by this Board the twentieth of August last for the Officers of that State to recruit Men within this Commonwealth agreeable to a recommendation of Congress. But by a late Resolution of Congress several new Battalions are to be raised by the United States in certain Proportions- which Proportions were no doubt intended to correspond with Militias of the several distinct States And it being apprehended that there will be considerable Difficulty in raising the number of Men assigned to this State drained as we now are not only by former Levies made by this State but by the recruiting that has been carried on under the Authority of the before mentioned Permission and an Order of the Convention on a similar Application to them, made previous thereto.

Resolved therefore that the Permission granted by the said Resolution do cease from this time and that no Officer of any other State be permitted to recruit Men here without the Approbation of the General Assembly.

Tuesday December 10th 1776.

Ordered that all the Militia now on actual Duty in this City (Williamsburg) be forthwith discharged and that the Captains return to the Keeper of the Publick Magazine all the Arms, Blanketts- and

Camp Utensils belonging to this State. And that the Battalion of Minute Men and Militia under the Command of Col. Samuel Meredith be likewise discharged.

(From Journal of the House of Delegates.)

Tuesday, December 10.

Ordered, that it be an instruction to the said committee that they receive a clause, or clauses, to empower the Governour, by and with the advice of the Privy Council, to prohibit or lay an embargo upon the exportation of beef, pork, and bacon, from this commonwealth, until the publick magazines are supplied, or until ten days after the first meeting of the Assembly.

(From Journal of the Council.)

Wednesday December 11th 1776.

Ordered that the Navy Board be requested to Charter the Brig purchased of Captain Thomas to M^r Germain for a Voyage to the Island of Saint Domingo and that the Termes of the said Charter be as low as the Interest of the Commonwealth can possibly admit of.

In Consequence of a requisition that hath been made for all the Prisoners of War now in this State to be sent to Brunswick in order that they may be exchanged according to a Cartel that hath been agreed upon- His Excellency the Governor is requested to inform Brigadier General Lewis that the said Prisoners will be delivered to such Guard that he may order to take charge of them by the County Lieutenants of those Counties where the said Prisoners now are and that every Assistance will be afforded that he may think necessary for complying with the said Requisition- And his Excellency is further requested to write to the several County Lieutenants informing them thereof.

Thursday December 12th 1776.

A Permitt granted to the Sloop Bold Defiance William Taylor Master to proceed on her Voyage to Bermuda from whence she lately arrived here loaded with Salt.⁹⁹

(From Journal of the House of Delegates.)

Friday December 13

Resolved, That it be recommended to the Governour, that he will be pleased, with the advice of this Council, to direct that immediate and ample provision be made for the comfortable subsistence and accommodation, as well in sickness as in health, of such soldiers and sailors as are already engaged, or may hereafter enlist into the service of this Commonwealth.

⁹⁹See letter of Richard Henry Lee to Patrick Henry, dated August 20, 1776, suggesting the transportation of salt from Bermuda.—Ballagh's "Letters of Richard Henry Lee", I, 213.

(From Journal of the Council.)

Friday December 13th 1776.

Ordered that the Publick Powder now on the Eastern Shore be transported from thence to the Capitol Landing that it may be stored in the Williamsburg Magazine and that Southy Simpson Esquire be requested to forward it with the Sulphur already directed to be brought from that Shore.

GOVERNOR HENRY TO COLONEL DORSEY PENTECOST.^{99½}

(From Boyd Crumrine's "*History of Washington County, Pennsylvania*," Page 185.)

Williamsburgh, December
13th, 1776.

Sir,- The more I consider of the state of things in your quarter, the more I am convinced of the Necessity there is to prepare for hostilities in the Spring; and although Continental Troops will be stationed on the Ohio, yet the Militia must be the last great Resource from which your safety is derived. In order to form something resembling Magazines, for the Present I have ordered about six Tuns of Lead for West Augusta; and that this article may be deposited in the Proper places, I wish you to summon a Council of Field Officers and Captains, and Take their Opinions which places are the fittest places for Magazines in the three countys of Yohogania, Monongalia, and Ohio, and Transmit the result to me. I wish you would please to find out where Capt.

^{99½}Pentecost was a Virginian who had settled in 1769 in what is now Westmoreland County, Pennsylvania, had prospered, and was one of the principal supporters of the claim made by Virginia to all this section of country. He rendered good service both in Dunmore's War and the Revolutionary War in collecting men and supplies.

It must be remembered that Virginia at this time laid claim to all the territory embraced in what are now the counties of Washington, Greene, Westmoreland, and Alleghany in the State of Pennsylvania. This territory was a part of the District of West Augusta, which was divided in 1776 into the counties of Monongalia, Ohio, and Yohogania.

A good history of the controversy between Virginia and Pennsylvania in reference to this territory—written, however, with considerable Pennsylvania bias—is to be found in "*The Boundary Controversy between Pennsylvania and Virginia; 1748-1785*", by Boyd Crumrine, of Washington, Pennsylvania, published in Volume 1 of the "*Annals of the Carnegie Museum*" (1902), and also printed separately. B. C. Hinsdale, in his "*Old Northwest*," pp. 102-109, gives a satisfactory short account of the trouble.

In the "*Annals of the Carnegie Museum*", too, Volumes 1 and 2, are to be found printed, reprints having been issued in each case, the proceedings of such of the old Virginia courts held within this territory as have been preserved.

Gibson's ¹⁰⁰ Cargo of Powder is, and let me know. In the Council of Officers I would desire it should be Considered whether the Militia with you want any articles Government can furnish and what it is, for be assured it will give me great pleasure to Contribute to your safety. I am of the opinion that unless your People wisely Improve this winter you may probably be destroyed. Prepare, then, to make resistance while you have Time. I hope by your Vigorous Exertions your frontier may be defended, and if necessity shall require some assistance be afforded to Combat our European Enemies, I have great Expectations from the number and known Courage of your Militia, and if you are not wanting in foresight and preparation they will do great things. Let a plan of Defence be fixed and settled beforehand; I mean principally the places of Rendezvous and the Officers who are to act, as well as to Provide Speedy and certain Intelligence. Let the Arms be kept in constant repair and readiness, and the Accountrements properly fixed. It will be proper to send out Scouts and Trusty Spies Toward the Enemies Country to bring you accounts of their movements. I wish great care may be used in the Nomination of Military Officers with you, as so much depends on a proper appointment. You will please to give Strict attention to the great Objects here recommended to you, and I shall be Happy to hear of the safety of your people, whose Protection Government will omit Nothing to accomplish.

I am, Sir,

Your most obedient servant,

P. HENRY, Jun.

(From Journal of the Council.)

Saturday December 14th 1776.

A Permit granted to the Schooner Neptune Captain Darby to proceed on her Voyage to Martinico.

A Permit granted to the Sloop Experiment Captain John Outton to proceed on her Voyage to New Providence.

Ordered that the Paymaster to the Troops employed on the Cherokee Expedition be instructed to pay the Officers thereof according to their respective Commissions or the rank allowed by the commanding Officer at the rate per day as fixed by Law- And that the Pay rolls be certified by the Captains of the Companies respectively- by the Field Officers commanding each Battalion and Corps- and finally by the Commander in Chief.

¹⁰⁰Capt. George Gibson, a Pennsylvanian by birth, commanding a company of Virginia frontier troops called in Williamsburg when they came east earlier in the war to assist in driving Dunmore from Virginia, "Gibson's Lambs", had conceived the bold project of securing a supply of gunpowder, on which the security of the whole western frontier depended, from the Spandiards at New Orleans, and, under the sanction of the Virginia authorities, with the help of Lieutenant William Linn, a Marylander in the service of Virginia, had brilliantly succeeded. A part of the supply had been brought by Linn up the Mississippi and the Ohio and another part by Gibson by sea to Philadelphia. (See "Old Westmoreland: A History of Western Pennsylvania during the Revolution", by Edgar W. Hassler, pp. 31-36.)

A Letter was wrote to Mess^{rs} Adams and Parke requesting that no Flour might be sent to the French Market in the West Indies and a Copy thereof filed.

Monday December 16th 1776.

His Excellency the Governor administered the Oath appointed to be taken by Privy Counsellors unto Thomas Walker Esquire elected a Member of this Board and who being sworn took his Seat accordingly.

Ordered that the Navy Board be requested to furnish a Vessel or more if necessary for the purpose of transporting seven hundred and nineteen Bushells of Salt from Hobbs Hole¹⁰¹ and four hundred and forty five Bushells from Smithfield to Osbornes and Petersburg and that the same be done without loss of Time as the distribution of the Salt is calculated on the above quantities which is seven hundred and twenty five Bushells for Osbornes and the residue at Petersburg.

A Plan for distributing the Public Salt was this day fixed upon agreeable to sundry Papers drawn up for that Purpose and which are ordered to be filed. Agents were also appointed to receive the said Salt and are allowed four pence per Bushell for their trouble and storidge- and it is ORDERED that Letters be wrote to the said Agents informing them what Counties the Salt is designed for, the price it cost Government and directing them to sell the same to the County Agents so as that the Publick may sustain no Loss and also impowering them that in case the County Agents cannot pay the Cash that they give Credit for three Months on taking their Bonds And it is also further ORDERED that Letters be written to the several Justices of the Peace of the said Counties informing them what Quantity of Salt is proportioned for them and what Agent they are to apply therefor-

Tuesday December 17th 1776.

Ordered that General Lewis be requested to appoint a Commissary for the Cavalry whilst on their March to General Washington's grand Army agreeable to a requisition of Congress and also to furnish such Commissary with a sufficient Sum of Money for that Purpose.

A Permit granted to the Schooner Betsey Captain Joseph Joy to proceed on her Voyage to Boston.

(From Supplement to Virginia Gazette, Friday, December 20, 1776.)

IN COUNCIL.

Williamsburg, Dec. 17, 1776.

Captain Nathaniel Guest having presented a memorial to the Governour, lamenting the suspicions which he fell under, with several of his countrymen, as having acted an inimical part against America, by aiding and abetting the Cherokees in their late hostile conduct, and desiring his Excellency and the Council would make inquiry into the same, as a preparatory step either to his acquittal or condign punish-

¹⁰¹Now Tappahannock, Essex County.

ment, the Board accordingly considered the several depositions transmitted by col. Christian to the Governour, and which had been laid before the General Assembly, and moreover examined co. William Russell, major Evan Shelby, and Isaac Thomas, upon oath, and, upon the whole matter, are of opinion, that capt. Guest is a friend of his country, and was acting in that character most effectually when he was suspected of encouraging the Indians hostilities.

(A Copy)

ARCHIBALD BLAIR, clerk.

GOVERNOR HENRY TO RICHARD PETERS, ESQ.

(From "*American Archives*," *Fifth Series*, Vol. III, p. 1270.)

Wmsburgh, Dec^r 18th, 1776.

Sir: Inclosed is a List of Necessarys wanted for the Cavalry of this Commonwealth, which are order'd to Join Gen^l Washington¹⁰² agreeable to a requisition of Congress. A few things comprised in this List have been furnished here. Perhaps 100 arms or thereabouts will be found in the Troops when they arrive with you. I have the Honor to be

Sir,

Y^r mo. hble Serv^t,

P. HENRY, Jr.

P. S. The Prisoners of War are not yet sent. The Operations your way may possibly induce some alterations of the former Requisitions. Please to inform me.

P. H.

[Enclosure:] "List of necessarys" referred to.
Letter to Richard Peters, Esq., at the
War Office, Phila.

(From *Journal of the Council*.)

Wednesday December 18th 1776.

Ordered that his Excellency the Governor be requested to issue marching Orders for the six Troops of Horse to join General Washington and that copies thereof be filed.

Ordered that the Navy Board be informed that this Board will be supplied with a Vessell by Capt. Barron so that one only will be wanting from them instead of the two requested the sixteenth Instant for the purpose of transporting the Salt from Smithfield to Osbornes and the County Lieutenant is desired to deliver the Salt remaining at Smithfield after satisfying the Proportions allotted the several Counties that are to receive their respective Quantities there which it is thought will be about four hundred and fifty Bushells.

¹⁰²After his retreat through New Jersey Washington had crossed the Delaware River on December 8.

(From Journal of the House of Delegates.)

Wednesday, Dec. 18

Resolved, That the Governour be desired to write to the Maryland Council of Safety, to inform them that four gallies¹⁰³ of eighty odd feet keel, intended for the protection of Chesapeake Bay and the adjacent cape and coasts, are now building in Virginia, and in great forwardness, and that the General Assembly have directed four more gallies, much larger than the former, to be immediately built and equipped for the same purpose; and conceiving that the inhabitants of Maryland are equally interested in a measure calculated for the mutual defence and advantage of both countries, have no doubt of the hearty concurrence and assistance of their sister State in supplying their proper quota of gallies to act in concert with those belonging to this Commonwealth.

[Agreed to by the Senate the same day.]

Resolved, *namine contradicente*, That the Governour and Council be desired to cause all such persons to depart this Commonwealth by immediately putting in execution the statute staple of the 27th of Edward III. chapter 17th, against all the natives of Great Britain who were partners with agents, storekeepers, assistant storekeepers, or clerks here, for any merchant or merchants of Great Britain, at the time the act of the British parliament for restraining the trade of America, and seizing our property upon the water, took place, except only such of them as have heretofore uniformly manifested a friendly disposition to the American cause, or are attached to this country by having wives or children here; and such subjects of the said king as shall satisfy the Governour and Council that they have not been able to procure other means of departure, may have their passage to any foreign port in such vessels employed in the service of this Commonwealth as the Governour and Council shall direct. And that all, or any of them, who shall be found here after the time respectively allowed them to depart, shall be confined as enemies, and prisoners of war. And for furnishing the Governour and Council with proper information, the justices of the several county courts are empowered and required immediately to make inquiry for all such subjects of the said king residing within their respective counties, and, after due examination had, to cause a list of their names to be entered upon record, and direct their clerk to transmit a copy thereof to the Governour. And that a copy of this resolve, together with a copy of the aforesaid statute staple, be forthwith printed in the Virginia Gazette.

Resolved (after a letter from John Smith Esq.¹⁰⁴ of the county of Frederick was read),

¹⁰³The building of large galleys had been urged in a letter of Lee to Patrick Henry, dated September 15, 1776. See Ballagh's "Letters of Richard Henry Lee", I, 216.

¹⁰⁴John Smith, of "Hackwood", Frederick County, was commissioned colonel of militia January 8, 1776, and county lieutenant of Frederick, March 6, 1777. At a later period he served in the militia under Morgan and Muhlenburg. For his letter reporting the action of the Frederick County Volunteers, see V. H. M., Vol. XVIII, p. 29.

That this House have great pleasure in observing with what cheerfulness and alacrity the volunteers in the county of Frederick have offered their service to join the continental army under his excellency general Washington, at a time they supposed important and critical; but as it is very probable that the enemy have retired into winter quarters, the House would not wish their brave countrymen to march such a distance in this inclement season under a doubt whether there will be occasion for their services, but will rely on and call them forth if such an occasion should happen, in which case the Governour and Council are hereby empowered to put the same company of volunteers and their officers, upon the pay of this Commonwealth, with the same allowance of rations and forage as the other troops in the service thereof.

(From Journal of the Council.)

Thursday December 19th 1776.

Information being given to this Board that a Lieutenants Guard is more than sufficient for the Forces under confinement at Staunton It is ORDERED that in future an Ensigns Guard only be employed- But in case the County Lieutenant of Augusta should be of Opinion that the said Prisoners may be trusted upon their Parole to confine themselves within the said Town of Staunton and shew themselves daily to the first Militia Officer there that it be at his Discretion to admit them to their Parole accordingly and dismiss the Guard untill such time that the Prisoners Conduct may make it necessary to replace them.

Upon considering the Petition of sundry Inhabitants of the County's of Accomack and Northampton setting forth their defenceless Situation- It is ORDERED that the County Lieutenant of Accomack be impowered to retain out of the Publick Powder now in that County twelve hundred and fifty pounds for the use of the Inhabitants and to be delivered to the Militia when called out on actual duty- Also that the County Lieutenant of Northampton be impowered to retain seven hundred and fifty pounds out of the said Powder to be applied in like manner- And it is further ORDERED that one thousand weight of Lead be immediately sent to the said County Lieutenants to be carefully kept by them for the use of their respective Militias.

Ordered that the Order made yesterday relating to the Vessell that Captain Barron was to supply for the purpose of conveying Salt up the River be rescinded.

Ordered that General Lewis be requested to give directions for fifty Ball of four inches diameter to be delivered to George Savage Esquire for the use of Northampton County.

Friday December 20th 1776.

A Permit granted to the Sloop Betsey Captain Richard Talbot to proceed on her Voyage to Martinico.

Pursuant to a Resolution of the General Assembly- It is ORDERED that Joseph Prentis, John Minson Galt and James Southall Esquires be appointed to enquire into the Conduct of the Keeper of the Publick Goal and report to this Board their Opinion thereof.

Saturday December 21st 1776.

It appearing that an assistant Clerk is absolutely necessary to bring up the Business of this Board and state the Accounts of Commonwealth- It is RESOLVED that M^r John Beckley be appointed for that purpose.

Resolved that the Commissary of Stores be requested to purchase a Waggon properly fixed together with a good Team and to keep the same in readiness for the purpose of removing the Publick Treasury of this State if it should be found necessary.

Pursuant to an Act of the General Assembly directing the purchase of Provisions for ten thousand Men- It is ORDERED that Dudley Digges John Blair, Thomas Walker and David Jameson Esquires or any two of them be a Committee to contract for that purpose.

RESOLVED that Colonel William Aylett the present Commissary of [Stores] be impowered and desired to use his utmost Endeavours to procure the necessary Tents, Bedding, Arms, Accoutrements, Cloths, Waggons and other things that may be wanted by the Troops raised in this State and to purchase them on the best Terms he can- And also that he purchase and export the Produce of this Country to such foreign Ports that he may judge the most proper for obtaining the necessary Supply of Stores for our Army and Navy in the speediest and most effectual manner also to procure a quantity of Salt and a number of Cotton and Wool Cards for the use of the Inhabitants of this Country and for that purpose to correspond with all such Agents as are or that may be hereafter appointed- And further he is also impowered and requested to procure proper Vessells for carrying on this Business to apply to this Board for such of the Cruizers belonging to this State that may be conveniently spared and he is likewise required to apply to this Board or the Commissioners of the Navy for such Instructions or Information that from time to time he may find necessary.

A Letter was written to Mess^{rs} Vanbibber and Harrison as follows Sir &c. as per Copy recorded in the Letter Book.

(From Journal of the House of Delegates.)

Saturday, December 21, 1776.

Resolved, therefore, That the Governour be, and he is hereby fully authorized and empowdered, by and with the advice and consent of the Privy Council, from henceforward, until ten days next after the first meeting of the General Assembly, to carry into execution such requisitions as may be made to this Commonwealth by the American Congress for the purpose of encountering or repelling the enemy, to order the three battalions on the pay of this Commonwealth to march, if necessary, to join the continental army, or to the assistance of any of our sister States, to call forth any and such greater military force as they shall judge requisite, either by embodying and arraying companies or regiments of volunteers, or by raising additional battalions, appointing and commissioning the proper officers, and to direct their operations within this Commonwealth, under the command of the

continental generals, or other officers according to their respective ranks, or order them to march to join and act in concert with the continental army, or the troops of any of the United American States, and to provide for their pay, supply of provisions, arms, and other necessaries, at the charge of this Commonwealth, by drawing on the Treasurer for the money which may be necessary from time to time; and the said Treasurer is authorised to pay such warrants out of any publick money which may be in his hands, and the General Assembly will at their next session make ample provision for any deficiency which may happen. But that this departure from the constitution of government, being in this instance founded only on the most evident and urgent necessity, ought not hereafter to be drawn into precedent.

Resolved, also, That the Governour be desired to transmit by express copies of these resolves to the American Congress, and to the neighboring States of Maryland and North Carolina, to satisfy them we are exerting ourselves in defending the liberties of America.

* * *

[After consideration the words "the usual forms of government", were substituted by "additional powers to be given to the Governour and Council"]

* * *

Resolved, That our Delegates be instructed to recommend to the consideration of Congress whether it may not be necessary and expedient, in the present dangerous and critical situation of America, in order to give vigour, expedition, and secrecy to our military measures to invest the Commander-in-Chief of the American forces with more ample and extensive powers for conducting the operations of the war; and that they will earnestly exhort the different Legislatures of the United American States to adopt the most speedy and effectual methods for calling their Militia force into action and cooperating with the Generals of the American Armies.

* * *

Adjourned till the last Thursday of March next, then to meet in the city of Williamsburg, or at such other place as the Governour and Council, for good reasons, may appoint.

GOVERNOR HENRY TO DANIEL JENIFER.

(From "*American Archives*," *Fifth Series*, Vol. III, p. 1356.)

Williamsburgh, December 22d, 1776.

Sir: I do myself the honour to transmit to you the enclosed resolutions,¹⁰⁵ and beg leave to assure your Province of the most cordial cooperation of Virginia in every measure for your particular safety and the general interest of America.

I am, sir, your most obedient servant,

P. HENRY, Jr.

The Hon. Daniel of St. Thomas Jenifer, President
of the Council of Safety, Maryland.

¹⁰⁵The Resolves are given in full in "*American Archives*".

(From Journal of the Council.)

Monday December 23^d 1776.

ORDERED that a Commission of the Peace issue for the County of Fairfax directed to all those named in the last Commission except Sampson Darrell and Bryan Fairfax who refuse to qualify William Adams and Henry Gunnell who failed to appear when summoned and John Watts Junior who is dead.

Resolved that the Clerk of the House of Delegates be desired to furnish this Board with an Extract of all the Resolutions and Orders of that House respecting any Matter or Thing to be done or executed by this Board.

Resolved that the Navy Board be requested and impowered to purchase without delay two swift sailing Pilot Boats to be employed in the Service of this State.

Resolved that Brigadier General Lewis be requested to have all the Powder except four Barrells removed from the Magazine in this City (Williamsburg) to the new Magazine lately erected.

Instructions were made out for M^r James Calloway and which were ordered to be filed.

A Letter was written to John Walker Esq. as folows Sir &c. as per Copy recorded in the Letter Book.

RESOLVED that this Board will proceed on Wednesday the eighth day of next Month to the choice of Officers for the several Companies to compose the three new Battalions that are to be raised for the Service of this State pursuant to an Act of the general Assembly- And it is expected that the Captains and Subalterns of Marines, the Captains and Subalterns of those Minute Companies that have been called out upon actual Duty together with all such Volunteers that were formerly on Duty for the Assistance of North Carolina and since that have been employed in the Service of this Commonwealth and that are now desirous to claim the Preference allowed by the said Act entitling them to serve in the said Battalions according to their respective Ranks and all others wishing to enjoy Appointments on this Occasion do attend at that time- It is also further RESOLVED that this Board will on Friday sennight proceed to recommend to Congress proper Persons to be commissioned as Subalterns in the regiment of Artillery to be raised in this Commonwealth.

[This last resolution was printed in the *Virginia Gazette* for Dec. 27.]

GOVERNOR HENRY TO CORNELIUS HARNETT, PRESIDENT
OF THE COMMITTEE OF SAFETY, NORTH CAROLINA.

(From W. W. Henry's "Henry," I, 504.)

W^msburgh, Dec^r 23^d, 1776.

Sir: By the inclosed you will perceive the Ideas of this Commonwealth on the subject of military things. We mean to act with vigour and upon a liberal plan. If your state will be distressed, ours will

gladly contribute to its Relief if possible. Our Interests are the same and our operations shall harmonize.

No news on which I can depend has come here lately from the North. I judge that Philadelphia is now or shortly will be at the Mercy of the Enemy.¹⁰⁶ The Middle States have not furnished Troops in so great numbers as were expected. I trust your Commonwealth and ours will exhibit a different spirit. And altho' many Difficultys are to be encountered on the subject of necessarys, yet I hope we may muster a formidable Force by the Spring. For this purpose I think the earliest preparations should be made; and in conformity we are setting about this work immediately.

I have the honor to be Sir,
yr. mo. hble. Servt.

P. HENRY Jr.

(From Journal of the Council.)

Thursday December 26th 1776

Upon considering the critical Situation of American Affairs- It is Resolved that his Excellency be advised to issue his Proclamation exhorting and requiring the several County Lieutenants and other Officers of the Militia within the Commonwealth and all other Subjects of the same forthwith to use their utmost Endeavours to associate Volunteer Companies as the most speedy Method of putting an End to the cruel Ravages of a haughty and inveterate Enemy and to inform his Excellency of the Proceedings therein.

Friday December 27th 1776.

A Permit granted to the Sloop Delaware Captain Thomas Coleman to proceed on her Voyage to Coracoea.

Ordered that the County Lieutenant of Isle of Wight be directed forthwith to march a Company consisting of seventy five Rank and File under the command of a Captain three Lieutenants and an Ensign to Portsmouth there to do duty under the Orders of the commanding Officer till the further Directions of this Board- And that all the Militia of that County now on duty at Portsmouth be discharged immediately on the arrival of the said Company.

(From "American Archives," Series Five, Vol. III, p. 1425.)

PROCLAMATION BY THE GOVERNOUR OF VIRGINIA.

By his Excellency Patrick Henry, Jun., Esq., Governour or Chief Magistrate of the Commonwealth of Virginia:

¹⁰⁶On December 18 Richard Henry Lee had written to Gov. Henry of the adjournment of Congress to Baltimore.

A Proclamation.

Whereas the present critical situation¹⁰⁷ of American affairs renders necessary the utmost exertion of every sister State, to put a speedy end to the cruel ravages of a haughty and inveterate enemy, and secure our invaluable rights: I have therefore thought proper, by and with the advice of the Privy Council, to issue this my Proclamation, hereby most earnestly exhorting and requiring the several County Lietutenants, and other officers of the Militia within this Commonwealth, and all other subjects of the same, forthwith to use their utmost endeavours to associate so many companies of Volunteers as may be willing to engage in the defence of this State, or march to the assistance of any other, should the exigency of things demand it, and, without loss of time, to inform me of their success in this business. Each Company must consist of sixty-eight men, rank and file, under one Captain, two Lieutenants, and an Ensign, to be chosen by the Company. It will be necessary that the men should furnish themselves with the best guns and other arms that can be procured, also powder-horns, cartouch-boxes or pouches, and blankets.

And I do hereby promise, that all such persons as shall engage in this service shall receive the pay and rations provided by this State for their regular troops; also forage for such horses as they, or any of them, may find for the expeditious marching of the troops, and forwarding the same; and that such volunteers shall not be obliged to serve longer than the particular exigence that called them forth continues, or their place can be supplied by regular troops.

Given under my hand, this 26th day of December, in the first year of the Commonwealth, and in the year of our Lord 1776.

PATRICK HENRY, Jun.

(From Journal of the Council.)

Monday December 30th 1776.

Resolved that John Stadler¹⁰⁸ Esquire be appointed Engineer in the Service of this Commonwealth pursuant to the directions of an Act

¹⁰⁷On December 3 Richard Henry Lee had written to Gov. Henry:—"The present movement is critical in the American war. The enemy have taken vigorous advantage of the space between the old and the new enlistments, and have rushed like a torrent through the Jerseys, our little army of no more than 5,000 men under the command of General Washington being compelled to retreat before them".

¹⁰⁸Among "Miscellaneous Papers" in the Virginia State Archives is the following petition of John Stadler:

"The Subscriber in the Service of the Colony as Engineer, on a View of having such pay and allowance towards executing this Duty, as is common in the Army, Namely the pay not to be under 10. Shillgs per Day Virginia Currency and all travelling Expenses to be allowed, that may exceed those ten Shillings—A Theodolite and Chain to be furnished by the public together with a Servant and one Horse for the Purpose of carrying those Instruments —That his Rations be equal to those of a Captain in the Service and that Forage be allowed for two Horses, The above mentioned Pay to commence from the 4th Day of May being the Time I entered upon Duty, and to continue together with the other Requisites above mentioned without Abatement wherever the Service may require my Attendance.

Williamsburg the 3th of June 1776.

John Stadler."

of Assembly- and it is Ordered that a Commission issue for that purpose, accordingly a Commission issued dated this Day.

A Permit was granted to the Schooner Mannex, John Marner Master to proceed on her Voyage to Coracoa.

Ordered that Colonel Edward Carrington be impowered and requested to have the several pieces of Cannon at Portsmouth properly mounted and also to provide necessary Carriages for the purpose of removing them should the same be thought expedient.

Tuesday December 31st 1776.

A Permit granted to the Sloop Patience Captain Hinson to proceed on her voyage to Saint Eustatia.

Wednesday January 1st 1777.

Ordered that a Proclamation issue requiring all the Natives of Great Britain who were Partners with, Agents, factors, Storekeepers at or assistant Storekeepers here for any Merchant or Merchants in Great Britain at the time that the British Act of Parliament for restraining our Commerce and seizing our Property on the Water took Place to depart this Commonwealth with[in] forty days with their Effects agreeable to a Resolution of the General Assembly passed for that purpose but permitting them that chuse to dispose of their Effects so to do and also excepting all such Natives of Great Britain that have uniformly shewn themselves friendly to the Cause of America or are connected with this Country by having Wives or Children here.

Thursday January 2nd 1777.

Ordered that the Navy Board be requested to give directions for having the supernumerary Arms on board the Sloop Congress conveyed to the Publick Magazine.

Ordered that his Excellency be advised to write to the Managers of the several Gunfactories in this State pressing them to use their utmost endeavours in forwarding the necessary work of fabricating Muskets and Bayonets and that they carry on the same to the utmost extent as per Copy filed.

Friday January 3^d 1777.

Ordered that the Business of recommending proper Persons to Congress for Subaltern Officers in the Regiment of Artillery agreeable to a former Order of this Board be put off till Thursday next.

Tuesday January 7th 1777

A List of the Military Stores sent by the Brig Musketo¹⁰⁹ Captain Harris from Portsmouth being now returned. It is Ordered that the

¹⁰⁹In the spring of this year the "Mosquito", Captain Harris, carried into St. Pierre, Martinique, the ship "Noble", valued at 75,000 livres. Later she was captured by the British ship "Ariadne." For letters of Capt. John Harris, written during his captivity in England, see V. H. M. Vol. XXI, p. 116 *et seq.*

Commissary of Stores be requested to send to Burwells Ferry for the same and have them secured as the Property of this State.

On the recommendation of the Navy Board- It is Ordered that a Commission issue to William Ivey Gentleman appointing him Captain of the Sloop Liberty in the room of Captain Walter Brooke.

Ordered that a Letter be wrote to Mess^{rs} Van Bibber and Harrison on the Subject of the Sloop Congress addressed to them by the Navy Board- and that a copy of the Letter wrote to them the twenty first of last Month be inclosed.

Ordered that the Clerk of this Board do apply to the Auditors of Public Accounts for a Warrant for four hundred Pounds being a Quarters Salary due the Privy Council the fifth Instant.

Wednesday January 8th 1777.

Resolved that Doctor James McClurg¹¹⁰ be appointed Physician and Director General of the Hospital to be provided for this State- and that he be requested to procure a place where to erect such Hospital as may appear to him the most convenient.

The Board agreeable to a former Order proceeded to the chusing of Officers for the three Battalions to be raised in the Service of the Commonwealth- and after having examined a number of Recommendations and taking a List of the Candidates- It is ORDERED that the final determination thereof be postponed till tomorrow.

GOV. HENRY TO JOHN HANCOCK, PRESIDENT OF
CONGRESS.

(Continental Congress Papers—Va. State Papers, 71, Vol. I.)

W^msburgh Jan. 8th 1777.

Sir:

I had the Honor to receive your Despatches by the Express last Night. As they contain Matter of great Importance, I shall take the earliest opportunity to give them thorough Attention assisted by the Council.

I flatter myself I shall be able to give you the Result of our Deliberations on them by the next post.

¹¹⁰Dr. James McClurg (1741-1825), an M. D. of the University of Edinburgh, had, after spending two years in study in London and Paris, established himself in his profession in Williamsburg. His "Essay on the Human Bile", first published in London, was translated into many languages. In 1779 Dr. McClurg was elected professor of medicine in the College of William and Mary. In 1783 he removed to Richmond, where he served for many years as a member of the Council of Virginia. He served in the Convention that framed the United States Constitution, in the place of Patrick Henry, who declined appointment. Dr. McClurg was, however, absent when the instrument was signed.

After most sincerely congratulating you on the Success of our Arms,
I beg Leave to assure you that with every Sentiment of Esteem I am
Sir

y^r mo. ob^t Serv^t

P. HENRY J^r

[Addressed:]

The Honble John Hancock Esq^r
Baltimore.

[Indorsed:]

Gov^r Henry

W^m^sburgh Jan^y 8th 1777.

(From Journal of the Council.)

Thursday January 9th 1777.

Resolved that Captain David Wallace of the Prize Ship Jane taken by Captain Thomas Lilly of the armed Brig Liberty in the Service of this State be forthwith discharged and permitted to return to his Family in Great Britain by any Opportunity that may offer on giving his Parole that he will not directly or indirectly give any Intelligence to the Enemies of America. Captain Wallace appearing gave his Parole accordingly.

The Board agreeable to appointment now proceeded on the choice of Officers for the three Battalions to be raised in the Service of this State- when all such Officers in the Marine and Minute Service that under the Act of Assembly were entitled to a preference and appearing to claim the same were accordingly appointed to the number of fifteen Captains, six first Lieutenants, eight second Lieutenants and one Ensign- And the Board being concerned to find so few Applications from the western parts of the Country and flattering themselves that it was occasioned by bad Weather or some other accidental Cause and not from any Remissness or Indifference to the Service have therefore come to a Resolution of postponing the appointment of the other Officers till a future day- RESOLVED therefore that this Board will on Tuesday the fourth of February next fill up the remaining Officers- And it is ORDERED that Notice thereof be given in the Virginia Gazettes and also that it be signified that this Board have yet to dispose of the following Officers to wit ten Captains nineteen first Lieutenancies, seventeen second Lieutenancies and twenty four Ensingcies.

Resolved that the several Officers now recruiting for the purpose of filling up the six new Battalions in the service of the Continent do forthwith transmit to this Board an Account of the number of Men by them severally enlisted and where they are stationed- And that all the Officers and Soldiers of the said Battalions hold themselves in readiness to march, as they will be ordered so to do before they are regimented agreeable to an order of Congress to that purpose.

Ordered that the County Lieutenants and all Persons having Guns, Blanketts or other Publick Stores in their Possession do forthwith cause them to be sent to the Publick Magazine and it is expected that all

Officers having such Articles or having served in any Corps to whom they were delivered will exert themselves to see this Order faithfully and quickly complied with.

Ordered that the Business of recommending proper Persons to Congress for Subalterns in the regiment of Artillery be postponed till a future day.

GOVERNOR HENRY TO RICHARD HENRY LEE.

(From W. W. Henry's "Henry," I, 511.)

Williamsburg, V^a, January 9, 1777.

I congratulate you my dear Sir on our well timed success at Trenton. I trust the honor of our arms will be retrieved.

Our levies go on pretty well in many places; in some the great want of necessary clothing & Blankets, retards them. Orders issue this day for the officers to hold themselves & soldiers ready to march by companies & parts of companies & in a little time they'll go off, but in want of every thing.

I observe our people (a few excepted) are firm & not to be shaken. A great number of volunteers may be had. I hope all the enlistments may be filled, but doubt if it can soon be done. I am endeavoring at vigorous measures. Languor seems to have been diffused thro' the Naval department. However I hope it will mend. The Cherokees are humbled, but I fear hostility about Pittsburg in the spring, & have provided ammunnition and provisions in that quarter, & shall be able to muster a formidable militia thereabouts. The powder is not yet sent, but I wait only for the result of a council of war where to deposit it. Our sea coasts are defenceless almost. Arms & woolens are wanted here most extremely. We are making efforts to secure them. I do indeed pity your situation. I guess at the many perplexities & difficulties that attend you. I know how much the vigorous counsels of America are indebted to you for their support. I know how much you detest the spirit of indecision and lukewarmness that has exposed our country to so much peril. Let me tell you that altho' your fatigue is almost too much to bear, yet you must hold out a little longer. Many people pretend they perceive errors in Congress, & some wicked ones are greatly pleased at the hopes of seeing the respect due to that assembly succeeded by contempt.

Make my most affe. compliments to Col. Frank.¹¹¹ Has he forgot me? Indeed he may ask me the same. Tell him that from morning till night I have not a minute from business. I wish it may all do, for there are a thousand things to mend, to begin.

Adieu my dear Sir, & believe me your affectionate, humble servant,
P. HENRY.

¹¹¹Colonel Francis Lightfoot Lee—W. W. Henry's note.

To Richard Henry Lee, Esq., at Congress.

P. S. I beg you'll tell me what is the best method for doing justice to Gen. Stephen¹¹² as to his rank. I think he ought to be raised above his present rank.

(From Journal of the Council.)

Friday January 10th 1777.

On a Representation from the Navy Board that the armed Vessel Musketoe belonging to this State is ready to proceed on a Cruise provided she could be furnished with an Officer and twenty five Marines and that Captain Alexander Dick had that number of Marines in his Company and was desirous to undertake a Cruise. It is Ordered that he be at Liberty so to do and that he be requested to go on board the said Vessell with his Marines as soon as possible.

Resolved that the Committees for the Counties of Yohogania, Monongalia and Ohio and the Militia Officers for all the other Counties within this Commonwealth respectively do and they are hereby required forthwith to form their several Quotas of Men raised in the said Counties into Companies and parts of Companies according to the Act of Assembly for raising six additional Battalions of Infantry on the Continental Establishment and that they transmit to this Board a List of the Companies and parts thereof so formed together with an Account of the progress of Enlistments within their several Jurisdictions.

Saturday January 11th 1777.

Ordered that the Navy Board be requested to give directions for having the Publick Boats at York immediately trimmed and sent up to the Capitol Landing at Williamsburg.

Monday January 13th 1777.

On Information given to this Board in a Letter wrote by Ralph Wormeley Junior Esquire (who was by a Resolution of the Convention held last May ordered to abide within the County of Berkeley and not to depart thereout except only upon that part of his Fathers Estate lying in the County of Frederick unless permitted so to do by the said Convention or general Assembly) setting forth that the said Ralph Wormeley hath been disturbed by sundry Persons in going to his House or Place of Residence within the aforesaid Limits in a riotous and tumultuous manner whereby he hath been much alarmed and his Life endangered- It is therefore Ordered that the County Lieutenant of Berkley be directed and is hereby required to suppress and prevent all such riotous Meetings and illegal Attempts that may in future be made to hurt or molest the said Ralph Wormeley Junior at said Place

¹¹²General Adam Stephen. At that time brigadier-general. Made major-general the 19th of February, 1777. Dismissed from the service for misconduct at Germantown, up to which time he had been an exceptionally good officer.

of residence- And it is further Ordered that the said County Lieutenant do give proper Orders and Directions to all the Officers of the Militia within his County to be aiding and assisting in the execution of this Order.

Ordered That the Navy Board be requested to issue orders to the Officers of the Navy & Marines to carry to the Publick Magazines all the Arms & Accoutrements belonging to the Men who are enlisted in the land Service, & all other Surplus Arms & Accoutrements which they have possession of by any means whatever.

Tuesday January 14th 1777.

Resolved that the several Naval Officers in this Commonwealth be desired to purchase upon the best Terms they can any Goods that may be imported into their several Districts suitable for our Army & Navy & particularly coarse Woollens, Blankets, Sail Duck, coarse Linens, Medicines Arms & Powder & immediately send to this Board an Account of the Cost of the several Articles, and they are empowered to draw upon the Commissary of Stores for the amount of the Purchases by them made.

Wednesday January 15th 1777.

Ordered that Friday the last day of February next be observed as a Day of solemn fasting & Humiliation agreeable to the Recommendation of Congress. And the Public Printer is directed to insert this Order in his Gazette.

Thursday January 16th 1777.

Whereas from the present naked and defenceless State of this Country it becomes matter of great and general import to the public Safety that this Board should be furnished from time to time with Speedy authentic and particular Account of the movements of the British Fleet and Army in order that the most early and effectual Provision may be made for our defence, And whereas the multiplicity of Business of general Concern to the American interest which continually engages the notice, and engrosses the Time of the Congress, renders a strict and punctual Communication of Intelligence from that Source uncertain and precarious, from whence the executive power have suffered great Embarrassment. This Board having maturely considered the premises, do resolve as follows:

Resolved that a Gentleman of discernment, discretion, Veracity and inviolable Attachment to the American Cause, ought forthwith to be appointed Agent of Correspondance for the purpose aforementioned to reside at or convenient to General Washington's head Quarters. Resolved that Jn^o Walker esquire of Albemarle County be appointed to that Office, and that he be allowed for his Service therein the sum of One pound ten shillings per day, and all necessary Expences, to commence from the first day of this month being the time he set off from home agreeable to request of the Board to confer with them on this Subject. mr. Walker appeared in Council and received written instructions.

Letters¹¹³ were written on this Subject to his Excellency Gen^l Washington, and the honble Virginia Delegates in Congress, which are recorded in the Letter Book.

Friday the 17th day of January.

It appearing to the Board that no fraud was intended by Captain Paul Bascombe in carrying the sloop Polly to the Island of Bermudas instead of Hispaniola, that the same was the effect of necessity, and that being there the Cargo was by the Inhabitants of Bermuda forcibly taken away. It is Ordered that the Attorney General be directed to discontinue the suit he was formerly desired to institute against Matthew Phripp &c upon the Bond given at the time of clearing.

George Webb esquire being appointed by the general Assembly Treasurer of this State, this day appeared in Council, and having given Bond and security, took the Oath prescribed by Law.

(MS. Virginia State Archives.)

In Council W^msb^{urg} Jan^y 18. 1777.

Ordered that the Commissary of Stores be requested and empowered to purchase, for the use of the Commonwealth, the prize Ship Jane¹¹⁴ taken by Captⁿ Lilly of the armed Brig Liberty.

A Copy

Arch^d Blair C. C.

Ordered that the Commissary of Stores do deliver to the Keeper of the Public Jail twenty Blankets for the use of the Poor Prisoners in s^d Jail.

A Copy

Arch^d Blair C. C.

(From Journal of the Council.)

Saturday the 18th day of January 1777.

The Board being of opinion that the Treaty with the Cherokee Indians shou'd be held at fort Patrick and Henry, do resolve that Colo William Preston and Major Evan Shelby¹¹⁵ be appointed to act as Commissioners at the said Treaty for and on behalf of this State. And his Excellency the Governour is requested to write to Colo Christian acquainting him thereof, and also that the necessary Instructions will be made out, and sent him hereafter by express.

¹¹³On January 16, Gov. Henry wrote to John Dalton concerning the distribution of salt recently arrived. See Dalton's reply, *Tyler's Quarterly Magazine*, Vol. I, 96.

¹¹⁴The cargo of West India goods on the "Jane" was valued at £6,000.

¹¹⁵Evan Shelby (1720-1794) came with his father from Wales to Maryland in 1735; served in French and Indian War, and, at the battle of Point Pleasant, commanded a company from Washington County, Virginia. Shelby was a colonel during the Revolution, and later a brigadier-general of militia. His son Isaac was Governor of Kentucky.

Ordered that the Commissary of Stores be directed and empowered to purchase for the use of this Commonwealth the prize Ship Jane taken by Captain Thomas Lilly of the armed Brigantine Liberty belonging to this State.

Thursday the 23rd day of January 1777.

[Dudley Digges presiding as Lieutenant-Governor]

Dudley Digges Esquire informed the Board that he had since the last adjournment of the Council, received certain Intelligence of the arrival of some armed ships, and of their landing men on Point Comfort Whereupon with the advice of mr. Blair and mr. Jameson he had dispatched Expresses to the nearest Members desiring them to attend in order to take the necessary steps on this occasion which being approved of the Board proceeded accordingly.

Ordered that the Commanding Officer at Portsmouth be directed to apply to the County Lieutenants of Isle of Wight, Nansemond, Norfolk and Princess Anne for such a number of their Militias respectively as he may think the Safety and security of that post may require and it is also ordered that Letters be written to the said County Lieutenants requiring them to comply with such Applications or directions in the most speedy manner.

Friday the 24th day of January 1777.

Ordered that James Anderson¹¹⁶ the public Armourer be directed immediately to inspect the Arms brought from the Head of Elk, and to clean and repair the same, and that he afterwards proceed with [out] delay to clean and repair all the other arms in the magazine.

Ordered that Letters be written to the several naval Officers of this State, desiring them to purchase all the salt that may be entered at their respective Offices for the use of the public provided the Owner will take twelve shillings and sixpence per Bushel for it to be delivered where the Governour and Council may direct.

GOVERNOR HENRY TO COLONEL WILLIAM CHRISTIAN.

(*From W. W. Henry's "Henry," III, 41.*)

Hanover, Jan 24th, 1777.

Sir:

I laid your last despatches by Mr. Morrison before the council, and upon considering the distressed situation of the Cherokees, and that the long absence occasioned by a journey to Williamsburg might be detrimental to their private affairs, and possibly give the disaffected an opportunity to further their designs, the council board have come to a resolution that the Indian Chiefs may be met at the most convenient place near the great island. They advise me to appoint yourself, Col. William Preston and Major Evan Shelby, to be commissioners on behalf of Virginia, to negotiate with the Cherokees on all such matters as may be found necessary for ratifying the late convention

¹¹⁶See "Minutes of the Council of Safety", March 17, 1776 (MS., Virginia State Archives) for record of "Articles of agreement between James Anderson Blacksmith and the Committee of Safety in behalf of the public."

held at their towns, or establishing a firm and lasting peace with their Nation on terms of equity and mutual advantage. In conformity, I do hereby appoint you Sir, Colo. William Preston and Major Evan Shelby, to meet the Indian Chiefs, and to negotiate with them, for the above purposes. You may expect to receive from me some further instructions touching the Treaty, but in the meantime I judged it proper to send you this by express, that the affair may be put into motion, and the necessary notice and preparations may be thought of. You will please to order the several things necessary for the reception of the Indians, and give me notice of any thing you want from below, or the solution of any question on which you may desire to be instructed. I am Sir your most h'bl servt,

P. HENRY, Jr.

(From Journal of the Council.)

Saturday the 25th day of January 1777.

The Apprehensions of the Board with respect to the Men of War, which came into our Capes being removed; the Council are of opinion that they should adjourn to the first Monday in next Month agreeable to a former Adjournment, and they adjourned accordingly.

(From Minutes of the Navy Board.)

Thursday 30 January 1777.

The Board having had under Consideration the Building of two Frigates¹¹⁷ directed to be built in this State by the honorable the Continental Congress are of Opinion from the Information they have received from M^r James Maxwell and M^r David Stodder who were directed to view the different places in this State that Gosport in the County of Norfolk is the most proper place for that purpose and therefore with the Advice and Consent of the honorable John Page, Dudley Digges, John Blair and David Jameson Esq^{rs} four of the Members of the honorable the Privy Council have ordered the said Frigates to be Built there accordingly.

LIEUTENANT-GOVERNOR PAGE TO THE VIRGINIA DELEGATES IN CONGRESS.

(Virginia State Archives.)

Williamsburg Feb^{ry} 1st. 1777.

Gentlemen,

The Board having found that Indigo would suit the Foreign West India Market and our small Conveyances thither better than any other Commodity had advised his Excellency our Governour to send some swift sailing Vessel to Charles Town to take in such Cargoes thereof as

¹¹⁷Of 36 guns each.

should be ready, which were to be purchased by the Order of his Excellency President Rutledge¹¹⁸ and was desired to draw on you for the Cost and Charges of procuring them. You are therefore requested to Honour such Drafts as may be made on you in Consequence of the above mentioned necessary Steps. We expect that M^r Rutledge himself, or Mess^{rs} Edward and John Blake will draw on you for the Cost &c of about eight Ton of Indigo. I am

Gentlemen

Your Most obed^t Serv^t

JOHN PAGE President

(From Journal of the Council.)

Monday the 3rd day of February 1777.

Colonel Daniel Morgan of the six additional Battalions of Infantry on the Continental Establishment, having laid before the Board a Letter from his Excellency General Washington's Secretary, requiring him to repair to Philadelphia as soon as the good of the service would permit Ordered therefore that Colo Morgan's¹¹⁹ Regiment do consist of the five Virginia Companies now with the General, and formerly commanded by Colo. Stephenson, of a Volunteer Company raised by the said Colo Morgan, and of the Companies to be raised in the following Counties viz Prince William, Frederick and Loudon, and that his Lieutenant Colonel be [Christian] Febiger,¹²⁰ his major William

¹¹⁸There are various documents concerning this matter in the Virginia State Archives.

¹¹⁹Daniel Morgan, captain company of Virginia riflemen, July 1775; taken prisoner at Quebec, 31st December, 1775; colonel 11th Virginia, 1776; regiment designated 7th Virginia, 14th September, 1778; brigadier-general Continental Army, 13th October, 1780. By the act of 9th March, 1781, "The United States in Congress assembled, considering it as a tribute due to distinguished merit to give a public approbation of the conduct of Brigadier-General Morgan, and of the officers and men under his command on the 17th day of January last, when, with 80 cavalry and 237 infantry of the troops of the United States and 553 militia from the State of Virginia, North Carolina and Georgia, he obtained a complete and important victory over a select and well-appointed detachment of more than 1,100 British troops, commanded by Lieutenant-Colonel Tarleton, do therefore resolve, that the thanks of the United States in Congress assembled be given to Brigadier-General Morgan, and the officers and men under his command, for their fortitude and good conduct displayed in the action at the Cowpens, in the State of South Carolina, on the 17th day of January last; and that a medal of gold be presented to Brigadier-General Morgan, with emblems and mottoes descriptive of his conduct on that memorable day." Served to close of war. Died, 1802.—Heitman.

See articles entitled "William Morgan and His Riflemen", in the *William and Mary Quarterly Magazine*, Vol. XXIII, No. 2.

¹²⁰Christian Febiger, born in Denmark in 1746, attended a military school, and then accompanied to Santa Cruz an uncle who had been appointed governor of that island. In 1772 he visited North America and entered into commerce with the New England colonies. He joined a Massachusetts regiment in 1775, and was present at Bunker Hill. He was taken prisoner at the storming of Quebec in 1775, and detained until September, 1776, when he was sent with other prisoners to New York. Appointed lieutenant-colonel

Heath.¹²¹ And whereas one of the Companies of the County of Loudoun will be deficient for want of a second Lieutenant and his quota of men, it is therefore Ordered that a second Lieutenant appointed by the County of frederic with his Quota of men, be incorporated in and made part of one of the two companies raised by the Officers appointed by the said County of Loudoun.

Mr President, having received information that a Sloop from Martinico, bound to Baltimore laden with Powder and Soldiers Cloaths had been chased up East River by some British Ships of War, and that the Captains Orders were to deliver the said Cargo to the Order of some Committee or Convention should necessity oblige him to put into any part of Virginia, wrote a Letter to Sir John Peyton of Gloster County, desiring him to receive the aforesaid Cargo, and guard it, and to send an Acco^t to the Governour and Council of the Steps he may take in this Affair.

A Permit to the Sloop Industry, Captain Hutchings, to trade to Bermuda, laden with Tobacco and Flour p^r Manifest filed.

Whereas the Council some time ago received Information that Flour sold low in the Foreign West Indies, and that Indigo commanded a good Price, which being a less Bulky Commodity must make a more profitable Cargo for our small Vessells, and had determined to send several swift sailing vessels to Charles Town in South Carolina addressed to Peter Rutledge, who was desired by Letter from his Excellency the Governour to cause to be purchased for the use of this State about eight tons of Indigo, and to draw on our Delegates in Congress for the cost and charges thereof. And the armed Boat Henry commanded by Captain Pasteur being ready to sail to Charles Town for the purpose of taking in a Load of Indigo, to be consigned and carried to Messieurs Vanbiber and Harrison of S^t Eustatia. Upon Colo Aylett's recommendation. The President directed the Captain to take on Board from Portsmouth fifty Barrels of flour, and apply the neat proceeds to the Credit of this State. And Letters to our Delegates at Congress and President Rutledge were written in Consequence of the steps which had been taken, & recorded in the Letter Book.

Tuesday the 4th day of February 1777

Ordered that Colo Daniel Morgan with his Regiment, do forthwith march to Head Quarters, to join the Army under the Command of His Excellency General Washington.

of the 11th Virginia Regiment, he joined his command, January 1, 1777. In September, 1777, he became colonel of the 2d Virginia. He distinguished himself in the Pennsylvania campaigns; and in command of the right wing at Stony Point personally captured the British commander. In September 1780 he was ordered to Philadelphia, where he was employed in forwarding supplies to the army. Later, while recruiting in Virginia, he was present at the surrender of Cornwallis. On his retirement, January 1, 1783, he was brevetted brigadier-general.

General Febiger settled in Philadelphia, and in 1789 was appointed treasurer of Pennsylvania, an office which he held until his death in 1796.

¹²¹William Heth, lieutenant of Morgan's Virginia Riflemen, 1775; taken prisoner at Quebec, December 31, 1775; major 11th Virginia, 1776; lieutenant-colonel, 1777; colonel 3d Virginia, April 1, 1778; taken prisoner at Charleston, and on parole until the close of the war.

Resolved that the Men to be raised in the Counties of Augusta, Amherst, Fairfax, Culpepper, Orange, Spotsylvania, Fauquier, Cumberland, Caroline, Stafford, and King George for Continental Service, be formed into a Battalion, and commanded by Colo Edward Stevens;¹²² and that Lewis Willis¹²³ Lieutenant Colonel, and George Nicholas¹²⁴ major appointed by Vote of the general Assembly be allotted to the said Battalion.

The Board proceeded according to Order to fill up the remaining Officers for the service of this State, and after making choice of two Captains, four first Lieutenants one second Lieutenant and three ensigns they put off the further appointments till to-morrow.

Wednesday the 5th day of February.

As the Arrival of three Ships of War,^{124½} and the March of the Continental Troops from this state to join his Excellency General Washington, make it necessary to call in the Militia of some of the adjacent Counties for the protection of the Ports of Hampton, York and Williamsburg, and as a guard to the Magazines until a sufficient number of new Levies can be brought into service. It is resolved that fifty men from each of the Counties of James City, New Kent, Hanover, and King William to be stationed in this City; that fifty men from each of the Counties of Charles City, Surry, Southampton, and Sussex, be stationed at Hampton; and that one hundred men from the County of Gloster and fifty men from the County of King and Queen, be stationed at York, be forthwith called into actual service, and a Circular Letter was written accordingly to the several County Lieutenants, which was recorded.

The Board are of opinion that the Musquitto armed Brigantine be forthwith sent out on a Cruise against the Enemy. Information being received that the French Ports are open to our Cruizers, and that their Prizes are condemned there. Ordered that it be recommended to the Navy Board to signify the same to the Officers of our armed Vessels.

¹²²Edward Stevens, colonel Virginia Militia in 1775; colonel 10th Virginia, 12th November, 1776; resigned 31st January, 1778; brigadier-general and major-general Virginia Militia, 1779-1782; wounded at Guilford, 15th March, 1781.

¹²³Lewis Willis, lieutenant-colonel 19th Virginia, 13th November, 1776; resigned 1st March, 1778.

¹²⁴George Nicholas, captain 2nd Virginia, 1775; major 10th Virginia 13th November, 1776; lieutenant-colonel 11th Virginia, 26th September, 1777; resigned, 27th November, 1777.

^{124½}The president of the Council had received from Sir John Peyton, of Gloucester County, a letter dated Jan. 21, 1777, which contained the following news: "I have seen Mr. Edward Hughes, who was taken by the enemy last Wednesday. He informs me there are three ships in the bay, a 60, 50, and a 36 gun frigate, under the command of Commodore Hotham. . . . Hughes understood they were to cruise here, and expect 7 or 8 sail more every day".—*Virginia Gazette*, January 31, 1777.

The Board resumed the Business of chusing Officers for the three Battalions to be raised for the Service of this State, and finished the same by appointing to the number of twenty five Captains twenty five first Lieutenants twenty five second ditto and twenty five ensigns including the several different appointments, which together with the five Companies on the Ohio complete the said three Battalions.

Thursday the 6th day of February 1777.

Several of the Enemy's Ships of War being now in Hampton Road, and the Town of Hampton from its present weak and defenceless State requiring some temporary Protection. It is Ordered that a Company of fifty men from the County of York, one other of fifty men from the County of Elizabeth City, and a detachment of thirty two men from the County of Warwick do forthwith march to Hampton, there to remain for the Protection of the said Town until further Orders.

Whereas by the Present Regulations of the Navy of this Commonwealth two thirds of every Capture, if a merchantman are to belong to the State, and the other third part to the Captors, but of a ship of War, Tender, or Privateer, one half to the State, the other half to the Captors which at the time of that establishment corresponded with the Continental Regulations. And whereas the Congress have since directed that of all future Captures, the United States should have only a Moiety, and the Captors the other Moiety in case of merchantmen, and that the Captors should have the whole where the Prize is a Ship of War & tender or Privateer, and it being necessary that there should be an uniformity in the Rules prescribed for the Distribution of Prizes. Resolved therefore that the last recited Regulation of Congress between the Captors and the United States shall hereafter be in force between the Captors & this State.

The several Gentlemen, who have been appointed Captains or Subalterns in the three battalions to be raised for the service of this State, are hereby required to have their men reviewed without Loss of time, by two of the field Officers of the County where the Enlistments shall be made, & produce the Certificates of such field Officers to the Board on or before the firstday of march next as other wise the Board will proceed to appoint Officers in the room of such persons as shall fail to comply with this direction. They are also required to send their men to this City under a sergeant as soon as any of them may be reviewed without waiting until they get their whole quota, & when that is done they are to repair to the same Place themselves. And the several gentlemen who were appointed to recruit men in the service of the United States, and have not already delivered in Certificates of review as the Laws direct, are required to do so immediately as no unnecessary delay can be admitted. And where in either of the above cases any Officer may happen to fail in his endeavours to raise his Quota of men, the Board expect to have a reasonable account of such failure, and some satisfaction of a probability of success in a short time if an indulgence should be given for that Purpose.

The Board are informed that messieurs Storrs and Company have a great Quantity of Blanketting lately imported; and forasmuch as the Soldiers raised in this State for its defence, as well as those for the Continental Army are destitute of this necessary Article; and the Service will be greatly retarded if the Soldiers are unfurnished therewith, and there is very little Prospect of a proper supply. Ordered therefore that the Commissary of stores make application to the said messieurs Storrs and Company for the purchase of these Blankets, and offer a reasonable Price for the same, and at the same time inform them of the great and pressing necessity that lieth upon the State to procure them, and of the difficulties and distress that must ensue if they are withheld.

Friday the 7th day of February 1777.

This Board having received authentic Information that his Excellency General Washington is in great want of Cavalry, and it appearing that Arms suitable for such Troops cannot be purchased or procured in time. Resolved therefore that a Letter be addressed to Mr James Hunter desiring him immediately to proceed to fabricate so many arms requisite for Cavalry as may be sufficient to arm a Regiment compleat.

It appearing to the Board that some Minsunderstandings have arisen on the subject of enlisting Soldiers in this State by the Officers of Georgia, and that by the Resolution of the Assembly the said Officers have a Right to enlist one Battalion here. Ordered that no Interruption or molestation be given to the said enlistment of the said Battalion, and the several Officers recruiting in this Commonwealth are to demean themselves accordingly.

From the Memorial of David Ross¹²⁵ complaining to this Board of his having been presented by the Court of Dinwiddie County as one of the persons coming within the Resolution of the General Assembly requiring certain Persons to depart this Commonwealth, there appearing to be good Grounds to consider the Memorialist as entitled to the exemption contained in the said Resolution, not only from his being at present, and for some time past employed in works of great utility as well to the State as Individuals but also from his having from time to time, and even in a late Instance realized considerable Property here, Nevertheless from a willingness to avoid a hasty determination of this matter the Board go no further at present than to allow the said Ross to remain in the country till further Order can be taken therein, and in the mean time think it proper to invite all persons who can give any information respecting the memorialist as a person not uniformly attached to the american cause to do so at any time before the twenty fifth of march next, when the Board will take such measures therein as impartial Justice shall seem to require.

¹²⁵David Ross, later State commissary. See *Tyler's Quarterly Magazine*, VII, 4.

After the war Ross was a merchant in Richmond.

(*From Virginia Gazette, February 7, 1777.*)

IN COUNCIL, February 7, 1777.

On the petition of many of the subjects of Great Britain, in behalf of themselves and other merchants and factors residing in this commonwealth, for leave to purchase the ship Albion, a new ship, now lying at South Quay in this State, for the purpose of transporting themselves to their native country; and that they may be also permitted to purchase at the public rope walks¹²⁶ as much cordage as may, in addition to what they have already provided, be necessary for the said ship, and to engage navigators, according to the prayer of their petition; and that they also be permitted to purchase cordage, as aforesaid, if the Navy Board shall be of opinion that the same can be spared from the necessary demands of our vessels. In case any impediment in getting the said vessel, crew, provisions, and other necessities for the voyage be met with by the memorialists, they are required from time to time to inform this Board thereof.

(A Copy)

ARCHIBALD BLAIR. C. C.

(*From Journal of the Council.*)

Saturday the 8th day of February 1777

Resolved that it be recommended to the Continental Paymaster to advance to any of the Officers of the Continental Battalions to be raised in this State the necessary money for recruiting their several Quotas of men if they have not already received it.

Ordered that John Burton County Lieutenant of Northampton be directed to retain one hundred stand of Arms left by Colo. Thomas Fleming on the Eastern Shore for the Protection of the said County.

(*From Minutes of the Navy Board.*)

Saturday 8th February 1777.

Orders sent to the Commanding Officers of the Protector and Safeguard Gallies directing them to pay no regard to their last Orders respecting their joining Capt. Calvert but to remain where they are taking Care to annoy the Enemy, Protect and Defend the Trading Vessels and to Prevent the Negro's from going on Board the Enemy's Vessels.¹²⁷

¹²⁶There was a rope-walk at Warwick, on the James, under the charge of Capt. Charles Thomas.

¹²⁷"At the beginning of hostilities, Lord Dunmore made the mistake of attempting to free and arm the slaves against the 'rebel' masters. The sight of these blacks dressed in full regimentals with the red placard across their breast 'Liberty for Slaves', hurt more than helped Dunmore. Nevertheless, several hundred negroes flocked in to his standard and volunteered, and were armed. Several hundred were admitted on shipboard. * * * * * The legislature passed an act, 1775, permitting capital punishment for slaves joining the enemy or bearing arms. * * * * * On the approach of Cornwallis, several hundred crowded to him, and many were taken away to New York. Even the French forces acting with the American army secreted them." George's "Virginia Loyalists."

See "Calendar of Virginia State Papers", I, 477, 557; II, 62, 90, 523, 198, 218, 411, 536, 604; III, 44, 183, 189, 266, 287, 493, 525. "American Archives",

(From Journal of the Council.)

Monday the 10th day of February 1777

Resolved that Sir John Peyton be requested to receive the Soldiers Cloathing and other articles now on Board the schooner captain William Jones from Martinico belonging to the United states, and send them in the safest and most expeditious manner (avoiding the Enemy) to Fielding Lewis esquire at Fredericksburg for the use of the Continental Troops.

Ordered that D^r James Taylor and Mr Mathew Phripp be added to the number of Persons appointed by the Committee of Safety to distribute the money voted for the sufferers at Norfolk;¹²⁸ & it is further Ordered that a warrant issue to Captain Paul Loyall for three hundred and forty seven pounds the Balance of one thousand pounds voted for by the Convention for the purpose aforesaid.

Tuesday the 11th day of February 1777.

On perusing and considering the Record of Chesterfield County Court produced by the honble Archibald Cary esquire respecting the threats of Peter Stoner, it is ordered that the Governor be requested to write a Letter to the said Mr Cary informing him that the Board are of opinion that the usual legal mode of proceeding against the said Stoner viz by complaint to a magistrate ought to be adopted, and that in case a riot is committed by said Stoner or others that the sherif of the county be applied to in order to quell the same according to Law.

On the Consideration of the Proposals of Captain Parker of the ship Phoenix¹²⁹ belonging to the British King the Board do resolve that all the subjects of the United states of America now in possession of the Enemy ought to be exchanged; And as it appears that there are not sufficient numbers of Prisoners now in this State to exchange for

Fourth Series, II, 159; III, 190, 847, 1669. *Virginia Gazette*, August 5, December 2, 1775; January 26, 1776; V. H. M., XIV, 246-7, 385; XV, 290, 406. Hening, IX, Laws of 1775. The Proclamation of the "The First Emancipator", *Tyler's Magazine*.

¹²⁸There is a popular misapprehension as to the part played by Dunmore in the destruction of Norfolk—at the beginning of the troubles a flourishing commercial town of about six thousand inhabitants and the largest urban community in Virginia.

For hatred of Norfolk and threats of burning it, see *Lower Norfolk Antiquary*, Vol. II, 82; *Virginia Gazette*, December 3, 1775; *Virginia Historical Magazine*, Vol. XIV, 129, 246, *et seq.*; "North Carolina State Records", XI, 353.

The following furnish information concerning the actual occurrence: *American Historical Review*, XII, 341-347; *Dunmore's Gazette*, January 15, 1776, reprinted in "American Archives", Fourth Series, Vol. IV, 540, 541; Hening's "Statutes at Large", IX 329 (the commission that estimated loss, and distinguished between those friendly and those inimical to the Commonwealth); Hening, IX, 446; "Journal of the House of Delegates", 1835, declaration that 54 houses were destroyed by the bombardment and the landing party of Dunmore, while 863 houses were destroyed by State troops up to January 15, and 416 destroyed later by order of the Convention."

¹²⁹Later this same year the brig "Raleigh" was captured by the British frigate "Phoenix."

those mentioned in the List sent by Captain Parker of the same profession and quality. Resolved that for the surplus released by Captain Parker this Board will give Orders to release an equal number of the same quality and profession as soon as this State shall become possessed of them. But for as much as the masters and Crew of Vessels captured by Americans and brought into this State have been discharged, and have not generally been considered as Prisoners of War the Board think that a like number of Americans ought to be discharged by Cap^t Parker. But in case he shall refuse to do this, it is insisted on that the persons sent on shore in Northumberland County be set against those heretofore discharged, and not reckoned among those for whom we are to consider ourselves in arrear. Resolved that the officer managing the negotiation with Captain Parker, ought not to receive any persons from him but such as are free subjects of the United States of America, or such free Persons as have been taken in their service. The preceding is a direction to the Officer who goes with the flag to British King's fleet.

GOVERNOR HENRY TO THE VIRGINIA DELEGATES IN CONGRESS.

(From W. W. Henry's "Henry," III, 43.)

W^msb^urg^h, Feb. 11th, 1777.

Gentlemen: M^r Clements¹³⁰ of Major Bland's Regiment is accompanyd by two Gentlemen who served the King of Prussia in last War, the one as Cap^t., the other as Lieutenant of Cavalry. They are last from St. Eustatia and have papers which they call Credentials, but which are not intelligible to me, being in the german Language.

The Council concur with me in opinion that they may be highly serviceable at this Time, as a large Body of Cavalry is soon to be raised, and our officers must be generally inexperienced in that service. They are therefore recommended to you, in Hopes that their Merit will one day amply compensate for any favor they may receive from Congress.

Two Brass field pieces were sent to this State from Philadelphia some time ago. The continental Regiment of Artillery now raising here will carry them away, I expect, when they march. The officers will not permit them at present to be taken into the service of this Country, but keep them in their Corps of Artillery. We are exceedingly distressed for want of Field Pieces; and if Congress can spare us the above, we will gladly pay for them, & acknowledge the Favor. With great Regard I have the Honor to be

Gentlemen,

Y^r mo. ob^t h'ble serv^t

P. HENRY, J^r

[This letter (spoken of as of the 10th) was referred to the Board of War on February 15.]

¹³⁰Henry Clements entered service as cornet of dragoons; became lieutenant; resigned in 1777; served the latter part of the war as lieutenant in the Maryland Line.

(From Journal of the Council.)

Wednesday the 12th day of February 1777.

Congress having resolved that this Board forthwith cause to be levied, two hundred men to Garrison forts Pitt and Randolph, to be commanded by two Captains, four Lieutenants & two ensigns. In Conformity thereto Robert Campbell¹³¹ and John Robinson¹³² are appointed Captains, Thaddy Kelly¹³³ and Andrew McClure¹³⁴ first Lieutenants, William Anderson¹³⁴ & James Brandon¹³⁴ second Lieutenants, and John Ward and George Willis Ensigns, who are required without Loss of time to proceed in enlisting the said two hundred men to serve during the War. The Captains are to raise forty men each, the first Lieutenants twenty five men, the second Lieutenants twenty and the ensigns fifteen. In case any of the Officers aforementioned.- shall refuse to accept their Commissions, or shall fail to raise their respective quotas of men by the first day of April next the first seven Justices of Yohogania County or any five of them are empowered to nominate other proper persons in lieu of such who fail to raise their Quotas, or give further time to compleat the enlistment if they judge it best for the service. The men enlisted by any Officer, who fails to compleat his Quota, are to be turned over to him who shou'd be appointed to succeed him, as also the Bounty and enlisting Money undisposed off. Mr John Campbell and major Ward or either of them are requested to take . . Bond and good security from the aforementioned Officers or others appointed to succeed them as aforesaid for the recruiting and enlisting money for their respective quotas. Captain Campbell, Lieutenants Kelly and Anderson, and Ensign Ward to command the garrison at Fort Pitt, Captain Robinson, Lieutenants McClure and Brenton & Ensign Wallace are to comand that at Fort Randolph. The Board have no doubt but the intention of Congress is to give to the Officers and Soldiers of these Garrisons the quantities of Land promised to the Continental Troops proportionally.

Ordered that the County Lieutenant of Botetourt do forthwith Garrison fort Randolph with one hundred men properly officered, and that they continue on duty till a like number of Regulars relieve them.

Ordered that Major Rogers¹³⁵ be directed to cause fifty men of the Militia of your county most proper for the purpose to be stationed

¹³¹Robert Campbell, of Pittsburgh and later of Jefferson County, Kentucky, was a half-brother of Col. John Campbell.

¹³²John Robinson, of Washington County.

¹³³Thady Kelly, noted spy and ranger.

¹³⁴Andrew McClure, of Ten Mile Creek; William Anderson, of Raccoon Ford, Washington County; James Brenton later served with Gen. Hand, and in 1778 commanded a company under McIntosh.

¹³⁵David Rogers, a native of Ireland, at this time the most prominent inhabitant of Ohio County, Virginia; made county lieutenant March 4, 1777, but resigned in June. Early in 1778 he was sent to New Orleans to bring goods from thence to the frontiers of Virginia—a mission similar to that so brilliantly executed by Captain George Gibson and Lieutenant William Linn in 1776—but in the ascent of the Ohio River he and his party were set upon by the Indians. He himself was killed by Simon Girty—and all his men captured except thirteen.

at the mouth of the little Kanawha, and fifty other men to be stationed at the mouth of Wheeling under proper Officers for the defence of those posts till farther Orders.

Ordered that Col: Pentecost cause one hundred men of the militia of Yohogania to garrison fort Pitt under proper Officers and that the said Garrison continue till they are relieved by a like number of Regulators.

Ordered that the Continental Commissary or Contractor in that quarter furnish the foregoing Garrisons and Posts with Provisions.

Ordered that Mr John Campbell of Pittsburgh purchase and store at that place provisions for two hundred men for six months, and that he apply to Congress for money to pay for the same. That the said Mr Campbell provide as many Boats and proper vessels as are necessary for carrying one thousand five hundred men with their provisions from Pittsburg to Hockocking, and that they be kept in readiness at Pittsburg, and that the said Boats and provisions stored there, be under the safe keeping of such person as shall be thereto commissioned by Mr. G. Morgan.

Colo. Muehlenberg¹³⁶ having informed the Board that Business of recruiting men to fill up his Regiment, and of furnishing them with necessaries, would be greatly forwarded by marching from Fredericksburg to Winchester, as many of the men already enlisted have Relations there and express a desire of seeing them before they go to the Northward. It is ordered that he be permitted to do so.

The Board proceeded to form the Companies, and parts of Companies of Continental Forces into a Battalion of ten Companies each, and allot such of the field Officers as they judged best suited to each Battalion as followeth viz, first Battalion Edward Stevens Colonel, Lewis Willis Lieutenant Colonel, George Nicholas major, and the companies and parts of companies directed by said Act of Assembly to be raised in the following counties, Augusta, Amherst, Fairfax, Orange, Spotsylvania, Fauquier Cumberland, Stafford King George Caroline and Culpeper. Second Battalion, Daniel Morgan Colonel, Christian Febiger Lieutenant Colo: William Heath major and the companies and parts of companies in Loudon Frederick Prince William, and an ensign's quota only in Amelia also the five companies of riflemen heretofore raised in this Commonwealth and now at new york and a volunteer company by the said Colo Morgan. third Battalion James Wood¹³⁷

¹³⁶John Peter Gabriel Muhlenberg (1747-1807), son of the Rev. Henry Melchior Muhlenberg, was born in Trappe, Pennsylvania. Ordained a minister in the Evangelical Church (Lutheran), John Muhlenberg was called, in 1772, to minister to the German settlement in New Woodstock, Virginia. In order to enforce the payment of tithes he sought Episcopal ordination in London. In 1774 he was chairman of the Frederick County Committee of Safety, and, in 1775, a member of the Virginia Convention. Elected colonel of the 8th Virginia Regiment, he led his men to the relief of Charleston, and took part in the battle of Sullivan's Island. Promoted to the rank of brigadier-general, he served in the Northern campaign, and, in command of the First Light Infantry Brigade, took part in the battle of Yorktown. After the war Gen. Muhlenberg settled in Philadelphia, and began his distinguished political career.

¹³⁷James Wood, colonel 12th Virginia, 1776; regiment designated 8th Virginia, 14th September, 1778; served to 1st January 1783.

colonel, Jn^o Neaville¹³⁸ Lieutenant Colonel, George Lyne¹³⁹ major and the companies and parts of companies in Dunmore, Berkely, Hampshire, Botetourt, and Prince Edward, and also five companies stationed at different posts on the Ohio, fourth Battalion William Russell¹⁴⁰ colonel John Gibson¹⁴¹ Lieutenant Colonel, Charles Simms major, and the companies and parts of companies in Yohogania, Mon-galia and Ohio. fifth Battalion Charles Lewis Colonel Lieutenant Colo. Abraham Buford major, and the companies and parts of companies in Albemarle, Louisa Bedford, Pitsylvania, Fincastle, Goochland Halifax, Hanover Dinwiddie Prince George, Lunenburg, and Charlotte, sixth Battalion, David Mason¹⁴² colonel, James Innes Lieutenant Colonel, Holt Richardson¹⁴³ major, and the companies and parts of companies in Princess Anne, Nansemond King William Richmond, Westmoreland, Northumberland, Isle of Wight Sussex, South-ampton, Surry Brunswick Amelia (except an ensigns quota) Norfolk & Chesterfield and whereas there remaineth an overplus of six complete companies consisting of parts of companies in the following counties viz Eliz^a City one ensign, Buckingham one captain and one ensign Charles City one first Lieutenant and one ensign Essex one captain and one ensign, Henrico one first Lieutenant and one second d^o King and Queen one Captain one second L^t and one ensign Lancaster one second L^t Middlesex one first Lieutenant Mecklenburg one captain one first Lieutenant and one ensign, Williamsburg one second Lieutenant, New Kent one captain James City one second Lieutenant, York one first Lieutenant, Gloucester one captain one first L^t and one second Lieutenant; it is ordered that they compose a part of the troops to be raised by virtue of an Act of General Assembly for the better internal security and defence of this Country.

GOVERNOR HENRY TO MAJOR DAVID ROGERS.

(From *Thwaites & Kellogg*, "*Revolution on the Upper Ohio*,"
p. 232.)

Williamsburgh Feb. 13th 1777.

Sir—You are to cause fifty men of your Militia most proper for the purpose to be stationed at the Mouth of the little Kanhawa, & also

¹³⁸John Neville, lt.-col. 12th Virginia, 1776; colonel 8th Virginia, 11th December, 1777; transferred to 4th Virginia, 14th September, and served to close of the war; brevet brigadier-general, 1783.

¹³⁹George Lyne, captain Virginia State forces, 1776; major 23rd Virginia, 12th November 1776; lieutenant-colonel 9th Virginia, 1777; resigned, November 14th, 1777.

¹⁴⁰William Russell transferred to 5th Virginia, 14th September, 1778; taken prisoner at Charleston in 1780; exchanged and served to November 3, 1783; brevet brigadier-general.

¹⁴¹John Gibson, colonel 6th Virginia, 25th October 1777; transferred to 7th Virginia, 12th February, 1781; retired 1st January, 1783.

¹⁴²David Mason, colonel 5th Virginia, 1776; resigned 31st July, 1778.

¹⁴³Holt Richardson, transferred to 5th Virginia, September, 1773; resigned 10th May, 1779.

fifty others at the Mouth of Wheeling, under the proper officers for the Defence of those posts & the neighbouring Inhabitants until further orders.

I address my self to you on this occasion not knowing who is the superior officer in the county where (you) reside.

I should be glad to hear what is become of the powder Cap^t Gibson purchased at Orleans & what you have done in the Business of buying provisions. I am Sir y^r mo. hble serv^t

P. HENRY J^r

To Major Rogers of Ohio by M^r Kelly

(From Journal of the Council.)

Thursday the 13th day of February 1777.

Mathew Pope esquire attended and qualified as Naval Officer for York River District by taking the Oath of Office.

Ordered that the Officers appointed in the Counties of Bedford Augusta, Sussex, & New Kent for the Continental service, be allowed till the first day of March next to compleat their respective Quotas.

Colonel Muehlenburg having informed the Board that some stores for which he passed his Note were left at Halifax by Order of General Lee. Ordered that the Commissary of Stores be directed to make enquiry after the same.

The Board having received information that Bartlet Goodrich and John Cunningham have broke their parole by departing beyond the Limits of the Town of New London,¹⁴⁴ to which they were confined, and that James Parker who was Ordered to be kept on his parole within the Limits of the aforesaid Town, hath refused to give such Parole. Ordered therefore that the said Goodrich, Cunningham and Parker be conveyed under a proper guard to Amherst County and there confined to close Prison, and it is further Ordered that a Sergeant & six men be placed as a Guard over the same.

Friday the 14th day of February 1777.

Ordered that John Page, Dudley Digges, and Thomas Walker esquires be appointed a Committee to consider the Memorial of Colo Henry Field respecting the additional Expences he hath been at in carrying on the Business of Contractor to the second and seventh Regiments, and report their opinion thereupon to the Board.

Colo Anthony Lawson who was a Prisoner at Saint Augustine in East Florida, having been discharged upon his Parole to release or cause to be released at the desire of the Earl of Dunmore any person or prisoner within this Commonwealth, otherwise to deliver himself up again, and the said Earl of Dunmore not being here, and Colo. Alexander Gordon being a prisoner of the same Rank and dignity Resolved that he be released in exchange for the s^d Anthony Lawson upon this

¹⁴⁴New London, Bedford County.

Condition that if this exchange shall not be ratified by the Governor of St. Augustine he shall return to his former Condition.¹⁴⁵

Whereas by an Order of Congress of the eighteenth day of January last, an authenticated Copy of the Declaration of Independence is directed to be sent to each of the United States to be by them recorded, and one of the Copies having been transmitted to this Board by the President of Congress for that purpose. Resolved therefore that the same be recorded, in the Journals of the Proceedings of this Board, and is as follows-

[Here follows the Copy of the Declaration of Independence]

Saturday the 15th of February 1777.

The Board of Council, with great Concern, are given to understand that the Practice of Gaming is introduced in several Houses in this City; for the suppression of this baneful practice; It is Ordered that the Mayor, and all magistrates of the said City, be requested to use the utmost Endeavours to put the Laws into rigorous execution against this dangerous Vice.

Resolved that D^r James McClurg be allowed the sum of four dollars per day as a full compensation for his services as Physician and Director General of the Hospitals of this State.

The Board, having received Information by various means that sundry evil disposed persons, have lately furnished several ships of war, belonging to the enemy with provisions &c. carrying on treasonable Correspondencies with the Enemy, and particularly that those provisions &c. have most frequently, and in great Proportions been carried or furnished by persons inhabiting or living near to the Tangier Islands on the eastern shore. ORDERED that a Galley be immediately sent to the eastern shore aforesaid and the Captain or Commander thereof be instructed to seize and apprehend any person or persons which he may discover in the act of attempting to carry provisions or in any manner conveying Intelligence to the Ships of War aforesaid, and to

¹⁴⁵From the "Minutes of the Council of Safety", May 3d, 1776:

"On Considering a verbal proposition formerly made by Ld. Dunmore to this Council del^d by Col. Alexr. Gordon for the exchange of Prisoners, Resolved that the following proposals for such Exchange be sent his Lordship by the Commanding Officer in the neighborhood of Norfolk Viz, Colo. Alex. Gordon & Colo. Jacob Elligood for Colo. Anthony Lawson & Col. Joseph Hutchings, all other Officers of like Rank to be exchanged on equal terms Private for Private, & if there be not officers, on either side to give for such on the other, in order to effect a full exchange as far as may be, that the following Rules be resolved in such cases, to give for a Colo. 8 privates, a L. Colo. 7, A Major 6, a Capt 5, a Lieut. 4, an Ensign 3, a Serjeant 2, all other non comd. officers to be considered as privates. The prisrs. to be exchanged in the order of their Captivity without respect of persons, However it is to be understood that no prisrs on either side be compelled to return, who shall voluntarily desire to remain with the party they are with at present."

Col. Lawson and Col. Hutchings had been captured by Lord Dunmore's forces at the skirmish of Kemp's Landing.

Alexander Gordon, of Norfolk, appointed by Dunmore colonel of a loyalist Regiment, had been arrested by Col. Woodford.

carry or cause to be carried such person or persons forthwith before some magistrate of the county where any such persons shall reside, to be dealt with according to the Act of the General Assembly declaring what shall be treason, and the Captain or Commander of such Galley is moreover instructed to be aiding and assisting to all Magistrates in apprehending all persons against whom such Magistrates upon information shall issue their warrants for being guilty of aiding or assisting the enemy in manner aforesaid.

Monday the 17th day of February 1777.

On the Recommendation of the Court of Monongalia County. It is Ordered that a commission issue appointing Zackquill Morgan¹⁴⁶ County Lieutenant, Daniel McFarlin,¹⁴⁷ Colo Thomas Gaddis¹⁴⁸ Lieutenant Colonel, and John Evans¹⁴⁹ major of the Militia of the said County.

Tuesday the 18th day of February 1777.

On the Recommendation of Doctor James McClurg; it is Ordered that Thomas Kemp be appointed Purveyor to the Hospitals for this State, and that he be allowed seven shillings and sixpence per day for his services.

Ordered that the Register of the Court of Admiralty, be directed to furnish this Board with a List of the Crews, libelled in the said Court.

All Captains, Mates, and Mariners who have been taken on Board any British merchant ships, and who now remain Prisoners on parole in this Commonwealth, are directed to repair to this Board with all convenient speed in order to their being exchanged and the several Officers of this State in whose custody any such prisoners are, are required forthwith to send them to the City of Williamsburg; and it is ordered that copy of this Requisition be published in the Virginia Gazette.

Information being given to the Council Board that Captain Ackiss and Captain Wishart of Princess Anne County have misbehaved in their Office, the first by delaying to execute his orders in going to Portsmouth, when called upon to do so, and in discouraging several others in doing the same, and the latter in burning the Commission he held under the Government ORDERED that the said Captain Ackiss and Captain Wishart, be suspended from their Commissions, and that a Court

¹⁴⁶Zackwell Morgan had immigrated, with his brother David, from Berkeley County, Va. In 1785 the former laid out what is now Morgantown, W. Va.

¹⁴⁷Daniel McFarland.

¹⁴⁸Col. Thomas Gaddis had settled in 1769 near the site of what is now Uniontown, Penn. In 1782 he was elected a field-major in Crawford's expedition. He operated a distillery after the war and took an active part in the Whiskey Insurrection.

¹⁴⁹John Evans, a native of Loudon County, Virginia, had settled on the Monongahela, near the Morgans. In 1778 he served with Gen. McIntosh, and was a colonel under Brodhead in 1779. He died in 1834 at the age of ninety-six.

Martial forthwith be held for their Trial, and that the proceedings of the said Court be transmitted to this Board with the depositions of the witnesses.

The Board, finding it absolutely necessary in order to procure Arms, and other Articles for the use of this State, to lodge a sum of money in the west Indies for that purpose, finding the Commodities of this State too bulky and unprofitable to be exported in small Boats, which for the sake of expedition and safety must be employed, have come to the Resolution of purchasing Indigo in South Carolina to the value of ten thousand pounds, to be carried from Charles Town in boats to the Agent of this State in the West Indies, and for that purpose have employed S^t George Tucker^{149½} esquire to negotiate the Business at Charles Town, in Consideration of which he is to be allowed two and a half per Cent Commissions, and the liberty of transporting in the s^d Boats Indigo on his own account to the value of two thousand pounds free of freight, he advancing to this State in the Hands of our Agent at S. Eustatia on Loan the sum of one thousand six hundred and sixty six dollars to be repaid him here in paper dollars of this State, and that William Aylett esquire be directed to give the instructions necessary for carrying this Scheme into Execution.

Wednesday the 19th day of February 1777

It being represented to this Board that the ill success of the recruiting service within this state has been occasioned by the scheme of enlisting Volunteers. Ordered that the Governour be advised to issue his Proclamation enjoining and requiring all County Lieutenants and other Officers and subjects of this State, who may have been encouraged by the terms held out in a former Proclamation to form Volunteer Companies henceforth to desist; and to encourage the men to enlist in the Regular service, and most earnestly to recommend to every good Man and friend to his Country, and particularly to the Clergy of every denomination to exert in their several stations their influence for effecting so salutary a purpose and to require the Officers of the six additional Battalions in the continental service to march to Head Quarters with their Companies or parts of Companies as they shall respectively complete their Quotas.

Resolved that for the safety of the Trade of this Commonwealth there be immediately set upon the Point of Land at Cape Henry on a staff fifty feet high at least, a white flag striped with Red to be constantly

^{149½} St. George Tucker was born at Port Royal, Bermuda, in 1752, had emigrated to Virginia, and after a course at the College of William & Mary, had begun the practice of law. Taking the side of the revolting colonists, he planned and aided in the execution of an expedition against Bermuda, which resulted in the capture of a fort and stores. In 1779 he was secretary and aide to General Nelson; and major and lieutenant-colonel of Virginia Militia in 1780-1781. After the close of the war he was a member of the State Legislature, and of the Annapolis Convention of 1786. He succeeded George Wythe as professor of law in the College of William and Mary. Tucker was one of a commission to revise and digest the laws of Virginia; a judge of the State General Court; and, in 1813, made judge of the United States District Court. He died in 1827.

kept hoisted in the day when no enemy is within the Capes and taken down when an enemy appears; that there be also hoisted on the s^d staff a proper Light to be kept constantly burning in the night Time when no Enemy is within the Capes and taken down on the approach of the enemy, and that Colo. Thomas Reynolds Walker of Princess Anne be desired to have the same properly executed, and the Commander Officer of the Garrison at Portsmouth be directed to keep a subaltern's or Sergeants Guard at the Capes for the purpose of hoisting the flag by day, and keeping up the light by night, and to give Intelligence of the approach of the enemy.¹⁵⁰

Thursday the 20th day of February 1777

Resolved that John M. Galt,¹⁵¹ be appointed Surgeon and Apothecary to the Hospitals for this State and that he be allowed fifteen shillings per day for his services; He is to furnish two mates to be approved of by the Director General who are allowed five shillings each per day (neither the surgeon or his mates are allowed any Rations).

Resolved that the Director general of the public Hospitals be empowered to appoint the proper nurses for the said Hospitals.

GOVERNOR HENRY TO COL. CHARLES LEWIS.^{151 1/4}

(From Morgan Collection, New York. M. L. S.)

W^msburg Feb^y. 21. 1777

Sir

You are immediately to march such of the Quotas of Men as are compleated by the respective officers that are allotted to your Battalion, to join General Washington without waiting for full Companies, as he stands in extreme need of all the assistance that can possibly be furnished him & that Instantly you are to send such Field Offrs. with the recruits, as is proper, having special Regard to the Completion of the Battⁿ.

Your Zeal for the Public Good makes it unnecessary for me to call for your utmost Exertions on this pressing occasion. You will therefore begin both the Inlistments & instant March of the Troops, & to dispose of your self & the Field Officers, as best to promote the Service. Arms & other necessities must be given you by Congress,

Inclosed in a list of the Regiment.

¹⁵⁰This scheme had been suggested in a letter to Col. William Aylett, Commissary, by James Hunter of Fredericksburg, February 6. See Dalton's letter printed in *Tyler's Quarterly Magazine*, Vol. I, 98-99.

¹⁵¹John Minson Galt, surgeon 15th Virginia in 1777; taken prisoner at Germantown, 4th October, 1777.

^{151 1/4}In command of the 14th Virginia Regiment, one of the newly raised regiments (or battalions). The other colonels received similar orders. See letter of Governor Henry to Richard Henry Lee dated March 20, 1777, printed further on in this volume.

I must again entreat your greatest exertions & that not a Moment be lost as our all is concerned in sending the speediest Reinforcements. ¹⁵²

I am

Sir

Your mo: Obdt Servt.

P. HENRY J^r

Col. Lewis.

(From Journal of the Council.)

Friday the 21st day of February 1777.

Resolved that Captain Richard Taylor be appointed to superintend the repairing, cleaning fitting and loading for sea the several ships and vessels to be employed in the trade of this State.

Saturday the 22nd day of February 1777

Ordered that the Manager of the Lead Mines be directed either to exchange the two thousand seven hundred and sixty five pounds of Lead which they have now on Hand for good Powder & salt petre or sell it out in small quantities to the Inhabitants at sevenpence half penny per pound.

Monday the 24th day of February 1777

Ordered that the Keeper of the public Magazine, repair to the Landing to collect all the Ball and other Artillery stores now there, and have them removed to the Public Magazines.

Wednesday the 26th day of February 1777

Ordered that all the prisoners of war in this state (mariners taken on Board merchant ships excepted) be sent to Philadelphia under the escort of the Continental Recruits from the several Counties in which the said prisoners now are, and that the County Lieutenants of such counties respectively deliver the said prisoners to the Commanding Officer of the recruits taking his receipt for the same.

Ordered that a Warrant issue to Mr. Abraham Maury for the use of Thomas Jefferson esquire for thirty pounds on acco. for Cloathing the highland Prisoners in Albemarle County.

GOVERNOR HENRY TO JOHN HANCOCK, PRESIDENT OF CONGRESS.

(Continental Congress Papers,-Va. State Papers, 71, Vol. 1.)

W^msburgh March 1st 1777

Sir

The Dispatches which I have had the Honor to receive from you by the last Express, respecting the meeting of Commissioners to regulate

¹⁵²The resolutions of Congress of February 19 are printed in the "Journals of the Continental Congress", Vol. VII, p. 133.

the prices of certain Articles of Labor & Commerce, shall have the most early Attention. I beg Leave to refer you to my Letter to the Virg^a Delegates on the subject of the eastern Shore. With Sentiments of the most Esteem I have the Honor to be

Sir

y^r mo obed^t &
very hbl sev^t

P. HENRY J^r

honoble Jn^o Hancock Esq^r
President of the Congress

No. 23

[Indorsed:] Gov^r Henry
W^m^sburgh March 1^t 1777

(From Journal of the Council.)

Thursday the 27th day of February 1777

Ordered that a Letter be written to the Navy Board, informing them of Congress's apprehensions that Chesapeake Bay is to be the seat of war, and to recommend to them to increase the marine, & have a proper subordination established a copy filed and ordered to be filed.

Ordered that the Governour, be requested to write to our delegates in Congress representing the probability of an attack upon Fort Pitt early in the ensuing spring, and the necessity of increasing the Garrison at that and other frontier posts.

Ordered that Colo Isaac Zane, be applied to cast four Cannon, four pounders each of a short construction, and Light as possible, also sixty Ball, and forty pounds of grape shot for each of the said Cannon and Bar iron for mounting the same, and he is desired as soon as they are finished to send them immediately to Fort Pitt.

Isaac Avery naval Officer for Northampton district appeared and took the Oath of Office, and gave Bond &c. which is filed.

Saturday the 1st day of March 1777

This Board, having some time ago resolved that ten thousand pounds be laid out in the State of South Carolina in the purchase of Indigo for the use of this State, and S^t George Tucker esq^r being troubled to transact that Business, it is therefore ordered that the Gov^r be requested to write to P^t Rutledge requesting him to furnish the said Tucker with money for this purpose, and that it be desired to draw on the Virg^a Delegates at Congress for the same, who will have Instructions from this Board to Honor his draft.

All Officers recruiting men for this State, who have had further time allowed them to make their Returns, are to take notice that the 24th of this month is appointed for that purpose. New appointments will then be made, in the room of such as fail to comply with this order. All Officers who have compleated their Quotas in the Counties of Princess Anne, Norfolk, Nansemond, and Isle of Wight are requested to march them immediately to Portsmouth and all others whose quotas are compleat are required to march them to this place without delay.

Monday the 3rd day of March. 1777

Colo Wilson, who commands at Portsmouth, having represented to the Governor the great uneasiness which prevails among the Militia on duty at that Garrison, on acco^t of their not being relieved, and recommending at the same time the raising of four companies of Volunteers from the counties of Norfolk, Princess Anne, Isle of Wight, and Nansemond to serve for one year. It is therefore ordered that four Companies of Volunteers to consist of sixty eight men, under the command of a Captain, Lieutenant, and Ensign, be immediately raised in the Counties of Nansemond, Isle of Wight Norfolk and Princess Anne to garrison the works at Portsmouth for one Year; that they be entitled to, and receive the pay of the Militia to commence from the day of their march, and the county Lieutenants of the said counties are desired to review them when compleat, and grant their Certificates of such as are able bodied men fit for duty, from the date of which the respective Officers will be entitled to receive their Commissions. Circular Letters were accordingly written the said county Lieuts. to the above purport.

Ordered that the Officers appointed in the Countys of Yohogania, and Ohio for the Continental service, be continued until further orders; and the Officers in the county of Charles City, be continued till the twenty fourth of this instant.

Ordered that the Commissary of stores, deliver Captain Peart [Griffin Peart] for the use of the Garrison at Portsmouth three dozen Axes, two dozen shovels or spades, and fifty fathom of such Rope as he may chuse.

GOVERNOR HENRY TO GOVERNOR RICHARD CASWELL,¹⁵³
OF NORTH CAROLINA.

(From "*State Records of N. C.*," Vol. XI, p. 402.)

Williamsburg March 3rd 1777.

Give me Leave Sir, to assure you of my most cordial congratulations on your appointment to the Government of the state of North Carolina. That Country cannot but soon derive happy effects from your elevation to the dignity a grateful society have been pleased to confer upon you. Commissioners are appointed by the Executive of Virginia, to treat with the Cherokee Indians for the final Ratification of the peace, made with some of their Chiefs by Col. Christian last fall. I am not able as yet to inform you of the time and place, of the Treaty, but beg leave to refer to the Commissioners who are instructed to give you intimation of both, in order that Commissioners from your state may cooperate if it is thought proper.

With sentiments of high esteem and regard I have the Honor to be your Excellency's mo. ob. & very obliged

P. HENRY.

To Gov. Caswell.

¹⁵³First governor of North Carolina as a State (1777-1779); also the fifth governor (1784-1787). Died in 1789.

GOV. HENRY TO COL. DAVID ROGERS.

(From Thwaites & Kellogg, "Revolution on the Upper Ohio," p. 236.)

W^msburgh, March 4th 1777

Sir

I have to desire that the field officers of your county will fill up the commissions herewith sent for the proper Captains & subaltern officers of your militia.

I am Sir Y^r mo. hb^l serv^t

P. HENRY. J^r

In Council.

Cot^y Lieuten^t of Ohio Co^{ty}

(From Journal of the Council.)

Tuesday the 4th day of March 1777

Ordered that Commissions issue, appointing John Campbell, County Lieutenant, John Cannon Colonel, Thomas Brown¹⁵⁴ Lieutenant Colonel, and Henry Taylor¹⁵⁵ major of the county of Yohogania; also David Rogers county Lieutenant, David Shepherd¹⁵⁶ colonel; David McClure¹⁵⁷ Lieutenant Colonel, and Samuel McCulloch¹⁵⁸ major of the county of Ohio.

The Council being of opinion that an Indian Interpreter should always be kept at Fort Randolph, do resolve that Captain Arbuckle be empowered to appoint a proper person for the purpose at an expence not exceeding four shillings per day, and also to appoint a proper person to be Armourer for the frontier Garrisons at a price not exceeding seven shillings and sixpence per day.

This Board being informed that the Garrison at Fort Randolph have not been regularly supplied with provisions, and it being necessary that three months provisions beforehand be always kept at that post. Ordered that General Lewis be requested to give orders to the Contractor to have the same carried into effect.

This Board, taking under their Consideration the Resolutions of Congress, bearing date the 15th February last, respecting the appointment of Commissioners from this State, to meet Commissioners of several other States at York Town in Pennsylvania for regulating the prices

¹⁵⁴Col. Thomas Brown, an early settler on the Monongahela, had in 1776 bought Cresap's property on the site of Redstone Old Fort.

¹⁵⁵Major Henry Taylor was a native of Maryland. He was the first presiding judge of Washington County, Pennsylvania, and in 1793 was appointed brigadier-general of militia.

¹⁵⁶Col. David Shepherd, very shortly himself to become county lieutenant of Ohio, in which capacity he was to serve till his death in 1795.

¹⁵⁷David McClure continued lieutenant-colonel of the county until his death in 1788.

¹⁵⁸Maj. Samuel McCulloch was a frontiersman, noted for his feats of daring. In 1779 he represented Ohio County in the Virginia Legislature. During the war he had command of the Fort on Short Creek and it was near there that he was mortally wounded by Indians in 1782.

of Commodities within those States respectively, and of Goods imported in the same, do appoint Lewis Burwell, and Thomas Adams esquires commissioners for the purposes aforesaid on Behalf of this State.

Wednesday the 5th day of March 1777.

Ordered that a new Commission of the peace issue for the County of Albemarle, and that the following Gentlemen, who have been recommended by the court of the said County be added viz Thomas Jefferson & one half and one more to be of the Quorum. Vide Commission Book for names.

Ordered that the detachment of thirty two men, lately called in, from the county of Warwick for the protection of the Garrison at Hampton be forthwith discharged.

Thursday the 6th day of March 1777

Resolved that Richard Cocke, William Reynolds, and Henry King Gent. be appointed paymasters to the three Battalions to be raised for the internal security and defence of this state. That his Excellency be empowered and requested to allot to each Battalion such of the said paymasters as he may judge most suitable, and to call them into actual duty as the service shall require.

(From Virginia Gazette, March 7, 1777.)

In Council at Williamsburg, March 6, 1777.

Whereas permission was given to Andrew Johnston, junior, and others who were adjudged to come under the statute staple of the 27th of Edward III. chap 17th, to purchase the ship Albion, then lying at South Quay, in Nansemond county, wherein they might convey themselves from this State to Great Britain; and whereas the said Andrew Johnston, junior, and others, have informed this Board that the said ship is in great forwardness to sail on her passage for Great Britain, but that, on account of the shallow depth of water from the South Quay down to the Sound, it is impossible to put a proper quantity of provisions, and other necessary baggage, on board the said vessel, where she now lies, sufficient to support them on their passage aforesaid:

It is therefore ordered, that the said Andrew Johnston, junior and others, be permitted to bring the said ship, in ballast only, to some convenient place in this State, that they may be able, with the greater facility, to lay in a proper quantity of necessaries for their support on their intended voyage and departure from this commonwealth, agreeable to the resolution of the General Assembly, and also to the said statute staple of the 27th of Edward III. aforesaid. And all commanders of American cruisers, or other armed vessels and all other persons whatsoever, are desired and required not to delay or impede

the said ship Albion on her way from South Quay aforesaid, to some other port or place within the commonwealth.¹⁵⁹

(Copy) ARCHIBALD BLAIR. Clk.

(*From Journal of the Council.*)

Saturday the 8th day of
March 1777.

The Board having resolved, in pursuance of the directions of General Assembly to have a Hospital erected for the sick Troops in the service of this State, and the director appointed for the said Hospital having recommended, as a proper place for the purpose, the plantation where the public vineyard is, which by a resolution of the said Assembly is to be sold to the highest Bidder; it is therefore ordered that Mr. Aylet be desired to purchase the said plantation if the same can be procured for seven hundred and fifty pounds.

Monday the 10th day of March 1777

On considering a Letter from Colo Bowman, representing the dangerous situation of the Inhabitants of Kentuckey. His Excellency was requested to give orders for one hundred men forthwith [to] march from the Counties of Botetourt and Montgomery to their relief, and, if it shall in the opinion of the Officers seem probable that they may afford the said Inhabitants protection, by remaining in Kentuckey that they then do so till further orders of this Board, otherwise to escort them into some interior and secure parts of the country.

GOV. HENRY TO THE COUNTY LIEUTENANT OF MONTGOMERY COUNTY.¹⁶⁰

(*From W. W. Henry's "Henry," III, 44.*)

Wmsburg, March 10th, 1777.

Sir: You are to embody fifty men of your militia under the usual officers, and order them to Kentuckie. In conjunction with fifty others from Botetourt, they are to Protect and defend the Settlers there, 'til further orders. In case it shall be judged impossible to hold the Country

¹⁵⁹In the *Virginia Gazette* of March 28, 1778, there is printed a decree of the Council permitting the memorialists, owing to impediments in bringing the Albion to some convenient port, forty days extension for the accomplishment of that purpose "as no further delay will be suffered, unless some very particular Reason shall make it necessary."

In the issue of June 20 appears the following:—"In consequence of pressing orders, by a flag of truce from Capt. Parker, on Sunday last, the Gentlemen who were to take their passage on board the ship Albion left Nansemond immediately."

¹⁶⁰At the time of the writing of this letter Montgomery County had just been formed, with Washington and Kentucky counties, from Fincastle County, which went out of existence. Col. William Preston, former county lieutenant of Fincastle, was now county lieutenant of Montgomery.

with this Reinforcement joined to the Inhabitants there, they are to escort all the People with their Effects to the nearest place of safety, and then to disband, if no other orders are given by me, or by my Direction.

This detachment to Kentuckie must be victualled there, as I understand Provisions are plenty and cheap.

The great variety of War in which this State is engaged, makes it impossible to spare such a number of men for this Expedition as I could wish; and also requires that you raise the men in the interior parts of your County least liable to Invasion.

You will give the officer you send orders conformable to the above. If a field officer of Kentuckie should be on the spot, he will take the command. If not, the eldest Captain that commands the Reinforcement.

I am

Sir,

Y^r mo. ob^t h^{ble} serv^t

P. HENRY, JR.

P. S.- There is powder I hear arrived at Kentuckie. Lead must be had with you. An order accompanys this.

Lieutenant of Montgomery County.

(From Journal of the Council.)

Tuesday the 11th day of March 1777.

Resolved that Michael Gratz¹⁶¹ be permitted to Charter his vessel to such persons as are obliged to depart this Commonwealth, under a late Resolution of the General Assembly, and that the several Officers within this State, pay due respect thereto.

The Board do recommend to George Webb esquire, to receive into the public treasury the money which may arise from the sales of the Continental Lottery Tickets.¹⁶²

Wednesday the 12th day of March 1777

Ordered that the Recruiting Officers for whatever service, be requested not to enlist any person employed in the manufactory of Arms in this State.

This Board, having from time to time received undoubted intelligence of repeated Hostilities committed on the subjects of this Commonwealth, by the Indians of Pluggy's Town; and notwithstanding the just Remonstrances made to them on the subject by our Agents for Indian Affairs they have not been brought to a sense of duty, but from their repeated injuries, there is the greatest reason to believe an encreased insolence instead of that good neighborhood we wish to cultivate with all the Indian tribes. And whereas the obstinate and wicked dispo-

¹⁶¹Michael Gratz was a prominent merchant of Philadelphia, of Jewish German nativity.

¹⁶²On January 9 Richard Henry Lee had written to Gov. Henry: "Be pleased to let the scheme of lottery be published in our papers, that people may be prepared against the tickets are sent."

sition of the said indians of Pluggy's town have been represented to Congress, and they seem to have no prospect of conciliation, but have referred to this Board the propriety of making war on them if it can be done, without exciting Jealousy and discord with the neighbouring nations. Resolved that George Morgan esquire, and Colo. John Neaville or in Case of his absence Robert Campbell esquire do confer with such Chief or Chiefs of the Delawares, and Shawnese Indians as may be relied on for secrecy and fidelity, and represent to them the necessity of chastising the said indians; and in case the said Gentlemen shall find that the said Shawnese and Delawares do not give Reason to to apprehend discord with them by Reason of such a proceeding; that three hundred men of the Militia, commanded by a Colonel, major, six Captains, six Lieutenants, six ensigns, and a proper number of non commissioned Officers be ordered to make an expedition to the said Pluggy's town in order to punish that people for their unprovoked cruelties committed on the Inhabitants of Virginia. That the Officers commanding this expedition have it in charge at their peril and that of all those concerned that no Injury, provocation or ill treatment of any kind be done or suffered to the delawares & Shawnese indians thro' whose Country they pass. But on the other Hand that the said Officers be strictly charged and commanded to conduct themselves towards them, as our faithful friends & Brethren, Government being determined to revenge the least injury done them. That the officers commanding this expedition apply to Geo Morgan esquire for ammunition provisions and stores necessary for the party who is requested to give every assistance in his power to forward the undertaking. That the Commanding Officer ought to be directed to shew mercy to the women, Children and to such of the men as surrender themselves, and to send all prisoners taken by his Party belonging to the said Pluggys town to this City; and as the success of this expedition will depend upon the dispatch with which it is conducted, Resolved that if a majority of the Field Officers and captains who are to be engaged in it, shall judge it best that the men shall be directed to march on Horse back, finding their own Horses, and carrying their own provisions, and that they ought to receive a reasonable allowance for so doing. Resolved that Colo. David Shepherd of Ohio County be Commander in chief of this expedition, that major Taylor of Yohogania county be major, and that they nominate the Captains and Subaltern's Officers out of those commissioned in the counties of Monogalia, Yohogania and Ohio or either of them. Letters on the above subject were written to messieurs Morgan, and Neville and Colonel David Shepherd, Copies filed and ordered to be recorded.^{162 $\frac{1}{2}$}

^{162 $\frac{1}{2}$} On February 27 Congress had passed the following:

"Resolved, That the governor and Council of Virginia be desired to consider of the propriety of ordering an expedition from the western frontier of that State against the settlement of Indians west of the river Ohio, commonly known by the name of Pluggy's town, and if the said governor and council be of opinion, that such an expedition is proper and conducive to the public weal, they are desired to direct the same to be undertaken and executed by the frontier militia, on terms the most frugal and effectual, taking the best precaution in conducting this expedition, not to give offence to any nation of Indians, in friendship with the United States:

GOVERNOR HENRY TO GEO. MORGAN AND COLONEL JOHN NEVILLE.

(From "Pennsylvania Archives," Vol. V, p. 260.)

Williamsburgh, March 12th, 1777.

Gentlemen:

You will perceive by the Papers which accompany this, that the Indians at Pluggy's Town¹⁶³ are to be punished in an exemplary manner. When you apply to the Shawnese & Delawares on the subject, it may not be amiss to observe to them, that these villainous Indians, by their frequent mischiefs, may breed Suspicions against innocent friends & Allies; for it is often difficult to tell what Nation are the Offenders.

Willing to cultivate that good understanding that subsists between Virginia & their Nations, the Shawnese & Delawares cannot take umbrage at the march against the Pluggy's people, more especially as the latter march through the Country of the former when they attack us.

You will readily understand the delicacy of the Business in opening this matter to the Chiefs. Many, if trusted, may not keep the secret.

If the Enemy have warning, the Expedition will produce but little good compared to what may be expected if they are attacked by surprise.

You will please to communicate to the Allies of this State the strict orders given to the Officers & Soldiers, not to molest or offend any but the Enemy of Pluggy's Town, & that orders are given to spare the Women and Children and such of the men as submit.

I take the liberty to remind you, that the success of the Enterprise depends upon the address & propriety which will, I hope, distinguish your conduct in communicating this affair to the Shawnese & Delawares.

I trust Gentlemen, that you will leave nothing in your power undone that may tend to give success to a measure so necessary for the well being of your Country; And that you will not confine yourselves to the strict line of Duty with respect to what falls into the business of each

That a copy of the information from Colonel G. Morgan, concerning Indian affairs, be transmitted to the governor and council of Virginia." "Journals of the Continental Congress", Vol. VII, p. 167.

On March 25, after the reading of a letter from Col. Morgan, it was "Resolved, That the governor and council of Virginia be desired to suspend any operations against the gang of Indians, commonly called Pluggy's people, till they shall receive farther advice from Congress." Vol. VII, p. 201.

¹⁶³In September 1775 a treaty had been entered into at Pittsburg by commissioners representing the Continental Congress and the State of Virginia and delegates representing the western Indian tribes within striking distance of that point. Notwithstanding this, these Indians at Pluggy's Town had continued to be unfriendly and had been guilty of many acts of violence. The punitive expedition against them discussed in this letter was, however, abandoned at the request of Congress, it being feared that other Indians might become involved.

Pluggy was a Mohawk, the head of a band of marauding Indians rather than the chief of a tribe. His town was on the Whetstone (Olentangy) River where the city of Delaware, Ohio, now is.

Officer respectively, but act on the most liberal plan for promoting the Enterprize.

'I have the Honour to be,
Gentlemen Y^r most Ob^t h^{ble} Serv^t
(Signed) P. HENRY, Jr.

P. S. You will communicate every thing necessary to the Officer who is in command in Chief.

P. S.- If it is judged best to go part of the way to Pluggy's Town by water, let it be so- this may avoid perhaps all offence to other Indians.

PATRICK HENRY.

To George Morgan,¹⁶⁴ & Colo. John Nevill,¹⁶⁵

Or in the absence of the latter, To Robert Campbell,¹⁶⁶ Esq.
Pittsburgh.

GOV. HENRY TO THOMAS JOHNSON,¹⁶⁸ GOVERNOR OF
MARYLAND.

(From W. W. Henry's "*Henry*," III, 45.)

Williamsburg, 12th March, 1777.

Sir: Having received a letter from the Delegates of this State in general Congress, acquainting me on the authority of a well informed friend to America residing in London, that the war is likely to go on another year, in which case Chesapeake Bay is to be the Seat, & more particularly the Eastern shore will be the first object, or place of landing; it naturally occurs, (what also our Delegates recommend,) that in this common danger it is exceedingly necessary to confer with you upon the subject of assistance to be mutually afforded, and the cooperation of the forces of each State.

Everything which can possibly be done by us, may be depended on, yet I cannot but lament our impotence, arising in a great measure from the peculiarity of our situation respecting the Eastern shore. The difficulty of Transporting Troops thither, to oppose an Enemy who will have the absolute command of the Bay which divides us, or of bringing them back again, whenever opportunity may invite the Enemy to change their design and invade this Western shore, is as obvious as it

¹⁶⁴George Morgan, very popular with the western Indians, with whom he had had extensive trade relations. At this time he was Indian agent for the Middle Department, by the appointment of the Continental Congress.

¹⁶⁵In the summer of 1775 the Virginia Convention had sent Captain John Neville with a company to take possession of and garrison Fort Pitt. He was still in command there, but was soon to become colonel of the 4th Virginia Continental Regiment.

¹⁶⁶The half brother of Colonel Jno. Campbell, at that time residing in Pittsburgh.

¹⁶⁸First Governor of the State of Maryland. As member of the Continental Congress had moved that Washington be made commander-in-chief of the American forces.

is melancholy. Thus circumstanced, altho' difficulties must not discourage, and we ought to put forth our utmost exertions, I am constrained to observe, that they may possibly prove so insurmountable, as to throw the defence of that Country principally upon your State.

The Shoalness of all that Coast rendering it impossible for the larger ships of War to lie near the shore, suggests the utility of Gallies which are so constructed as to Sail in shallow water; & are too strong for such smaller vessels as will probably be employed to effect a landing. In this idea, I have ordered two of the Row Gallies belonging to this State to be stationed on the Eastern Shore; and two Companies in the service of the United States, will, I expect, be shortly transported there.

The Congress recommend to us the Removal of the Cattle and other Stock, that the Enemy may not find there Resources for the ensuing Campaign, as they did for the last at Long Island. But besides the very great difficulty always attending such a measure, the proposal of which in this case has already created a murmuring among the people of the Shore, I find myself not a little embarrassed by the proceedings of our Convention, when similar circumstances seemed to demand the removal of stock from Princess Anne and Norfolk Counties.¹⁶⁹ They were of such a nature as to put me under the necessity of leaving things as they are in that respect, 'till I can have an opportunity of laying the matter before the General Assembly, or at least till an actual Invasion shall take place. I wish to be favored with your sentiments on this important subject as soon as may be, and have the honor to be,

Sir &c,

P. HENRY, Jr.

GOV. HENRY TO COL. DAVID ROGERS.

(From *Thwaites & Kellogg*, "*Revolution on the Upper Ohio*," p. 239.)

W^msburgh March 13th 1777

Sir

You will please give to Col^o Shepherd & Major Taylor all the assistance which is requisite in raising & preparing three hundred men for an Expedition ag^t Pluggys Town. I do not mean to restrict these gentⁿ to any par[ticu]lar Coty in getting the proper Number of Militia, but hope every one on y^r side of the Mountains will exert himself to give success to this measure. I am Sir Y^r hble serv^t

P. HENRY J^r

The Coty Lieuten^t of Ohio

¹⁶⁹Governor Henry is somewhat in error here. The former order (suggested by Major General Lee, issued by the Committee of Safety, and concurred in and reinforced by the Convention) had relation not only to the stock and other possessions of the inhabitants of Norfolk and Princess Anne counties in a section easily accessible to men from Dunmore's fleet but to the inhabitants themselves. The order was soon modified, however, by the Convention. See Burk's "History of Virginia", IV, pp. 142-147.

Gov. Johnson's answer to this letter is printed in the "Archives of Maryland", Vol. XVI, p. 227.

(*From Journal of the Council.*)

Thursday the 13th day of March 1777.

Resolved that four hundred men under the command of Colo Evan Shelby and major Anthony Bledsoe, be stationed at such proper places on the southwestern frontier of this sate as will most effectually protect the Inhabitants against the depredations of the Cherokee indians and that the men for this service, be composed of eight Companies of Militia with proper officers to be raised in the following Counties viz Bedford one Hundred Pitsylvania one Hundred, Henry one Hundred and Montgomery one hundred, who are to remain on the defensive, until further Orders, and that Colo. Shelby appoint a proper person to act as Commissary and supply the said Troops with the necessary provisions at their several stations.

Friday the 14th day of March 1777.

Ordered that two Gallies such as the Navy Board may judge most fit be stationed at Cherryton or such other places on the Eastern Shore as the County Lieutenants of Accomack & Northampton shall think best for the protection of the Trade and defence of the Inhabitants there.¹⁷⁰

Resolved that the Commanding Officers of the six additional Battalions of Continental Troops to be raised in this State, do immediately cause a general Rendezvous of the several officers allotted to their respective Regiments, and the men by them respectively enlisted at some convenient place, in Order to their being marched, in the most expeditious manner to the head Quarters of the American Army in New Jersey, that the field Officers of the several Regiments or such of them as can attend, form them into Companies, where it is not already done, and that such Companies as are complete be immediately marched under their proper officers, and that the men enlisted in each company where they are not compleat be marched under the command of such Officer or Officers of the Company according to their numbers as have come nearest in completing their respective Quotas, and that all such Officers as are so directed to march be immediately commissioned. That such field Officers of each Regiment as are necessary according to the numbers of their men, also march with them to the Northward and that the remaining Captains and Subalterns be directed to exert themselves in the recruiting their respective Quotas, and the remaining field Officers be required to superintend the recruiting Business for their several Regiments, and see that the same is properly & diligently conducted; and that the commanding Officers send an acco^t of their proceedings, and the state of their several Regiments to this Board, including a particular account of the number of men enlisted in each Company, and the Officer by whom they were enlisted.

¹⁷⁰The galleys in commission at this time were the "Henry", "Lewis", "Hero", "Manly", "Norfolk Revenge", "Page" and "Safeguard".

R. H. Lee had written to John Page on Feb. 19—"A number of Seamen lately put on shore from Cam. Notham [*sic*] say that the Men of War are greatly afraid of our Gallies. Let us cultivate this passion * * *." Bal-lagh's "Letters of Richard Henry Lee", Vol. I, p. 265.

GOV. HENRY TO GOV. CASWELL.

*(From "State Records of North Carolina," Vol. XI, pp. 428-429.)*Williamsburg, March 14th 1777.

Sir,

Authentic advices from the Cherokee country leave no room to doubt a war with part of that nation this spring. The Draging-Canoe's party¹⁷¹ is now 4 or 5 hundred warriors, and they are separated from the rest of the nation with sentiments of determined hostility to the United States. The old men and chief warriors, we are told, are averse to war; and in order to cultivate this good inclination, we are endeavouring to treat at the great Island of Holston,¹⁷² with the Chiefs many of whom express a desire for such a measure. Our Commissioners who attend for that purpose, have it in charge from me to signify to you the time and place of this Treaty, in order that you may cause your State to be represented there, if it is thought necessary. I have ordered four hundred men under Col. Shelby to be assembled from the more interior counties, to guard the frontier and to remain on the defensive for the present, lest offensive measures might defeat the intended negotiation, and unite the whole nation against us. Indeed an expedition at this time would meet with great difficulties on many accounts, but more especially on account of provisions. I heartily wish the people of your state would cooperate with us in the scheme of defence, and, in case of an expedition lend us their aid. Should they attack the Indians while we are endeavouring to treat, 'twould defeat our purposes and complete the scheme of the enemy's agents, which is, to unite all the towns in the British King's interest. On the contrary, if our views in the treaty can be answered, we may so divide the nation, that the disaffected party may be prevented from doing any thing.

I have the Honor to be, Sir,

Your mo. obt. h^{b1}• servt.

P. HENRY, Jr.

His Excellency Richard Caswell.

GOV. HENRY TO COL. CHARLES LEWIS.

*(From Morgan Collection, New York. M. L. S.)*W^msburg March 15th 1777.

Sir

I must once more address you on the Subject of marching your Regiment to join Gen^l Washington. There is a more pressing Necessity for your Aid, than you are acquainted with, or I can with Propriety

¹⁷¹Dragging Canoe and his followers had opposed the Henderson purchase of March 17, 1775.

¹⁷²The Holston River was named after Richard Holston who had discovered it prior to 1748. Later he and some companions made a canoe trip down the Tennessee, Ohio and Mississippi as far as Natchez.

explain in detail. You will therefore surmount any Obstacle & loose not a Moment lest America receive a Wound that may prove mortal I am

Sir

Y^r mo. hble Serv^t

P. HENRY J^r

P. S. I refer you to the Gazette of yesterday for the manner of arranging the incomplete Parts of Companys.

P. H.

Col^o Charles Lewis
fav^d by the honble
Tho^s Walker Esq^r

} Albemarle.

(From Journal of the Council.)

Saturday the 15th day of March 1777.

Resolved that the Paymaster of the Troops of this Commonwealth, be directed to advance no pay to the Officers who have not compleated their several Quotas of men, and such Officers who have received pay, are directed to return the same to the Paymaster.

Ordered that all persons, having Guns, Blankets, or military Stores of any Kind belonging to the State, do forthwith convey them to the public Magazine. Those who refuse or neglect to comply with this Order may depend [on] being prosecuted.

Ordered that Mr. Powell be directed to fit up and repair the Barn on the plantation lately purchased by the Public for erecting a General Hospital for the present reception of the sick soldiers of this State.

Resolved that the Commissary of stores be directed to deliver to the Commanding Officer of the Troops of this State or his Order, accompanied with the necessary Roll proper cloths for every soldier who hath been regularly enlisted, and is now in service to the amount of ten dollars or under the value of which Clothes are to be deducted out of the pay of such soldiers as shall be hereafter directed.

Monday the 17th day of March 1777.

A Letter was written to Messieurs Pliarne, Penit and company¹⁷³ in answer to their Letters of the 8th and 21st of October, the last proposing a scheme of Trade, a copy filed, and ordered to be recorded.

Tuesday the 18th of March 1777.

Ordered that Colo. Aylet be desired to send express to every Captain in the Merchant service of this state, requiring their attendance without delay.

Wednesday the 19th

His Excellency being indisposed and the number of Members present insufficient to enter upon Business they adjourned till tomorrow morning ten O'Clock.

¹⁷³Of Nantes, France.

Thursday the 20th day of March 1777.

Ordered that Mr. Reeveley¹⁷⁴ be directed to prepare in the most expeditious manner the proper Clay for erecting the necessary work at the Lead Mines, and have the same conveyed there as soon as possible.

A Letter was written to the Virginia Delegates in Congress requesting them to pay due honour to President Rutledges drafts for ten thousand pounds worth of Indigo furnished this State. Copy filed and ordered to be recorded.

GOV. HENRY TO RICHARD HENRY LEE.

(From W. W. Henry's "*Henry*," I, 513,)

W^m ^aburgh, March 20, 1777.

Dear Sir: Every possible method has been taken to hasten the march of the new Levys. I am sorry to observe a remissness among the officers, over whom the executive of this country can exercise no command in the opinion of most people. Indeed they have a general want of necessarys to struggle with. But they do not in general exert themselves as they ought. I've sent express twice to each colonel, & besides have had public advertisements repeatedly in the papers. All won't do. They are remiss. I guess two-thirds of the continental Recruits are enlisted, but in broken Quotas. Our three Battalions are more than half full. The enlistments for Georgia (agt. my opinion permitted by the assembly) have greatly hurt ours. A fellow called the 'Dragging Canoe' has seceded from the nation of Cherokees & 400 Warriors have followed his fortune, lying in the Woods & making War on us notwithstanding the peace made with Col. Christian. We have a Treaty on foot still with that people. Orders were issued a few days since for destroying Pluggy's Town. Three hundred Militia are ordered on that service from the Neighbourhood of Fort Pitt. Five swift sailing Boats are gone for arms to the West Indies. Our Factorys are making some. Perhaps we may arm our own Troops & some others, especially if the importation succeeds. A French ship & 2 Briggs are lately arrived here. 'Tis said they've warlike stores. If so my next will tell, as I've sent to purchase them- I hear to-day the people on the Eastern Shore are very uneasy, and that from the great number of disaffected in Maryland and Delaware the Whigs of Virginia are inclined to move away their Families. I suppose the number is small and those of the richer sort. The poor can't remove. The affairs of that shore puzzle me. Pray advise me what it is best to do. What can be the reason of no mails from the North? Adieu my dear friend. May your powerful assistance be never wanted when the best Interests of America are in Danger. May the subterfuges of Toryism be continually exposed and counteracted by that zeal and ability you have so long displayed, to the peculiar Honor of your native country, & the advantage of all the United States.

I am,

Y^r. ever aff^t.

P. HENRY, JR.

To Richard Henry Lee, at the Congress.

¹⁷⁴Of the Fredericksburg iron works.

(From Journal of the Council.)

Saturday the 21st day of March 1777.

Mr. James Anderson this day agreed to do Blacksmith's work for the Commonwealth of Virginia at his shop in Williamsburg on the following terms for six months, and for a longer time unless he shall give the Board one month's notice of his intention to decline the Business, or they shall give him the same notice of their intention to discontinue him viz Mr. Anderson is to be allowed fifteen shillings per day for his own wages including Sundays, for the rent of his shop, six sets of Tools and eight Vices for the Gunsmiths Business at the rate of ninety pounds per annum, he is to be allowed 6 per day for boarding each work man, for his two forges and five apprentices three pounds per month each, and if he is deprived of either of them by any accident he is to supply their place with another Hand as good; He is to employ such other workmen as the public Business requires on the best terms he can, and charge the country with whatever wages he pays.

Tuesday the 25th day of March 1777.

From the Information received from various Quarters there being strong reason to suppose that the Officers who are recruiting men within this Commonwealth for the Georgia service, have exceeded the number they were by a Resolution of the General Assembly permitted to enlist, it is therefore ordered that the recruiting Officers do henceforth forbear to recruit more men till they can satisfy this Board that they are yet within the Limits prescribed them.

Wednesday.

Whereas the Continental Troops now under Orders to march to Headquarters in New Jersey, are without Blankets, which are absolutely necessary to enable them to march, and it is represented to this Board that sundry persons, who have Blankets in their possession for sale, taking advantage of this necessity refuse the said Blankets for the use of the army, but at exorbitant prices Resolved that it be recommended to Brigadier General Lewis Commander of the Continental Troops here, to take proper measures for impressing according to the directions of an Ordinance of Convention held at Richmond in July 1775, for the use of the said troops all such Blankets which shall be found in the possession of any Inhabitant for sale, when the owner refuses to take a reasonable price for them, and it is particularly recommended to General Lewis to enquire who was the purchaser of a number of Blankets lately imported into York River from Guãrdalupe and offer him the price the said Blankets really were purchased at with 5 per Cent commission for his trouble in purchasing, and in case such offer shall be refused to take proper care to have them impressed.

Saturday the 22nd day of March 1777.

The Commissary of Stores, having purchased thirty thousand weight of Gunpowder for the use of this State. It is the Opinion of the

Board that ten thousand weight should be sent to each of the following Counties viz Dinwiddie Henrico, and Chesterfield addressed to the care of the County Lieutenants of the two former counties, and to Archibald Cary esquire of Chesterfield, and that an ensign and twelve men should be employed as a Guard in each county over the same. Letters were written to the said County Lieutenants and Arch^o Cary esquire to this purpose.

Wednesday the 26th day of March 1777

His Excellency was advised to issue his Proclamation requiring the County Lieutenants of the several Counties where any persons live, whose names have been transmitted by the County Courts as coming within the Resolution of the General Assembly directing certain persons to depart this State, and whose time allowed them to remove themselves, is expired, to take all such persons as are within their respective counties into custody as prisoners of war and all such of the said prisoners as reside on the south side of James River to be removed to the Court House of Cumberland county, and those on the north side of the said river to Caroline Court House.

GOV. HENRY TO COL. DAVID ROGERS.

(*From Thwaites & Kellogg, "Revolution on the Upper Ohio," p. 244.*)

W^msburgh March 27th 1777

Sir

I have rec^d Information that the Delaware Indians apprehend a dangerous War with our Enemys, on account of their Fidelity to us. You are to use every means in your power to protect them. If they demand it, you are to send a party of Men to their Towns if in Virginia to assist them in build^s Forts, & in such a Number as the Exigency of Affairs makes necessary. While there they are to defend our faithfull allys to the last Extremity. If the Indians chuse to come into our settlements for Shelter, make them Welcome, & share with them all your provisions ammunition warlike stores as long as any lasts to divide. And Injury done them, is done to us while they are faithfull. In one Word, support protect defend & cherish them in every Respect to the utmost. Act in concert with the Neighbouring counties & communicate these orders to M^r Morgan the Agent & the commanders of the Regulars.

I am Sir Y^r hble serv^t

P. HENRY J^r

The County Lieutenant of Ohio

(*From Minutes of the Navy Board.*)

Thursday 27th March 1777.

Letter Wrote to the County Lieuts of Accomack and Northampton desiring them to give such Orders to Cap^t Markham of the Page Galley, who is stationed on the Eastern Shore, as they may judge most requisite and necessary for the Protection of Trade and Defence of the Inhabitants of that Shore.

GOV. HENRY TO RICHARD HENRY LEE.¹⁷⁶

(From W. W. Henry's "Henry," I, 515.)

Williamsburg, March 28th, 1777.

Dear Sir: The practice of engrossing all foreign goods & Country produce has gotten to an enormity here, particularly in the latter articles. Corn flour and meat are bought up (as I was informed by Col. Aylett) in so much that it is almost impossible to furnish the public demands, in such time as the necessities of the army require. A gentleman here in partnership with Mr. Morris,¹⁷⁶ has speculated very largely in such articles as the army wants. The public agent complains he is anticipated. I hope the practise will be effectually stopped, or fatal consequences must ensue. I write to the General that our enlistments go on badly. Indeed they are almost stopped. The Georgia Service has hurt it much. The terrors of the smallpox, added to the lies of deserters and the want of necessaries, are fatal objections to the continental Service. Perhaps two-thirds of the six new Battalions are enlisted, but in broken quotas scattered far and wide, they move slowly. How long will you sit at Philadelphia? I fear you will come away again before the campaign is long begun. I heartily pray for your prosperity and welfare, and as the messenger waits I must conclude this scrawl from

Y^r. aff^t friend,

P. HENRY Jr.

Can you tell us nothing from France?
To Richard Henry Lee, at Congress.

GOV. HENRY TO JNO. HANCOCK, PRESIDENT OF CONGRESS.

(From W. W. Henry's "Henry," III, 48.)

Wmsburgh, March 28th, 1777.

Sir: I am honor'd by your Despatch of the 13th, & I'm sorry to observe that it gives me some embarrassment. 'Tis very true we have a Gun Factory at Fredericksburgh, & I believe there are some arms finished there.

I should have been obliged to your Informant had he mentioned to me the State of it, that I might have compared the number of Arms with the public occasions for them, whereby an estimate might have been formed of the number to be spared, & to what Quarter or Corps of Troops the General Interest required them to be sent. Yesterday I order'd the Keeper of the Public Magazine to furnish me with a Return of the public Arms, having engaged to deliver Col^o Mason all that can be spared, for his Regiment. You will therefore perceive the necessity

¹⁷⁵For reply to this letter, see Ballagh's "Letters of Richard Henry Lee", Vol. I, 273-275.

¹⁷⁶The Philadelphia merchant, speculator, and banker who became the great financier of the American cause.

of postponing the Delivery of the Arms to Col^o Stevens¹⁷⁷ until this matter is settled with Col^o Mason.

Congress will be pleased to excuse me when I observe, there is propriety in the Executive power of this State taking up the business of distributing the few arms we have among the Troops we raise, according as various local circumstances may require. Would Congress be pleased, Sir, to call upon me for information as to our Stock of public Arms, they might depend upon receiving a true one. With great regard I have the Honor to be,

Sir,

Y^r mo. obt & very h^{ble} Servt,

P. HENRY, J^r

Honble. M^r Hancock,

President of the Congress

[This letter was read in Congress April 8, and referred to the Board of War.]

GOV. HENRY TO GENERAL WASHINGTON.

(*W. W. Henry's "Henry," I, 516.*)

Williamsburg, 29 March, 1777.

Sir: I am very sorry to inform you, that the recruiting business of late goes on so badly, that there remains but little prospect of filling the six new battalions from this State, voted by the Assembly. The board of Council see this with great concern, and, after much reflection on the subject, are of the opinion that the deficiency in our regulars can no way be supplied so properly as by enlisting volunteers. There is reason to believe a considerable number of these may be got to serve six or eight months. But, as you were pleased to signify to me that great inconveniences had arisen by the admission of transient troops at the camp, the board do not choose to adopt the scheme of volunteers, until we are favored with your sentiments on the subject. I believe you can receive no assistance by drafts from the militia. From the battalions of the Commonwealth none can be drawn as yet, because they are not half full.

The volunteers will consist of men chiefly from the upper parts of the country, who would make the best soldiers could they continue so long in the service as to be regularly disciplined. They will find their own arms, clothes, and blankets, and be commanded by captains and subalterns of their own choosing; the field-officers to be chosen by the others. They will be subject to the Continental Articles of War, and I believe will be as respectable as such a corps can be expected, without training. I cannot speak with any certainty as to their numbers. In a very little time, seven companies were made up in August. In the other counties no great progress was made, because Government stopped

¹⁷⁷Edward Stevens was colonel of the 10th Va. Regiment. Later he became brigadier-general and then major-general of Virginia militia and behaved with great credit at Guilford Court House.

David Mason was colonel of the 15th Virginia. He resigned in July, 1778.

it, on being informed that it was a prejudice to the regular enlistment. But on the failure of this, the other may be revived, I believe, with success. Virginia will find some apology with you for this deficiency in her quota of regulars, when the difficulties lately thrown in our way are considered. The Georgians and Carolinians have enlisted probably two battalions at least. A regiment of artillery is in great forwardness. Besides these, Colonels Baylor¹⁷⁸ and Grayson¹⁷⁹ are collecting regiments, and three others are forming for this State. Add to all this our Indian wars and marine service, almost total want of necessities, the false accounts of deserters, many of whom lurk here, the terrors of the smallpox, and the many deaths occasioned by it, and the deficient enlistments are accounted for in the best manner I can.

As no time can be spared, I wish to be honored with your answer as soon as possible, in order to promote the volunteer scheme, if it meets your approbation. I should be glad of any improvements on it that may occur to you. I believe about four of the six battalions may be enlisted, but have seen no regular return of their state. Their scattered situation, and being many of them in broken quotas, is a reason for their slow movements. I have issued repeated orders for their march long since. With sentiments of the highest esteem and regard, I have the honor to be, Sir,

Your most obedient and very humble servant,

PATRICK HENRY, Jr.

To His Excellency Genl. Geo. Washington.

GOV. HENRY TO COUNTY LIEUTENANTS OF BOTETOURT
AND MONTGOMERY COUNTIES.

(From the Draper Manuscript Collection in the Wisconsin Historical
Society Library. 15zz5-6.)

W^msburgh March 29th 1777-

Gentlemen

The Quantity of provisions & the Number of pack horses is great. But the Service being Necessary it must be done, tho' I hope it may be conducted on the cheapest Terms Circumstances will allow. I suppose

¹⁷⁸Colonel George Baylor commanded the 3rd Continental Dragoons, very largely recruited in Virginia, but not counted in Virginia's quota. In the same way Col. William Grayson's infantry regiment was a Continental or Congressional regiment largely recruited in Virginia. The artillery regiment spoken of was the 1st Continental Artillery, commanded by Colonel Chas. Harrison.

Virginia continued to be recruiting territory for officers not in the Va. Contiental Line or in the Va. State troops throughout the war. In addition to those already mentioned, there were Gist's and Thruston's regiment of infantry, Rawling's rifle companies, Bland's dragoons, and Lee's and Armand's legion. See H. J. Eckenrode's "List of Revolutionary Soldiers of Virginia", p. 3. This list was printed as the special report of the Department of Archives and History of the Virginia State Library for 1911.

¹⁷⁹William Grayson, assistant secretary to Gen. Washington, 21 June, 1776; lieutenant-colonel and aide to Gen. Washington, 24th August, 1776; colonel of one of the sixteen additional Continental Regiments, 11th January,

the Meat must be had in the interior parts; But the Flour had better be had either from the G. Island, or purchased with you & waggon'd to that place, where there are a Number of public Horses that may be taken to convey it to Kentucky. Let the Horses be bro^t in immediately & left at such place as Colo^o Shelby directs, as they may be wanted again to visit the Cherokees, & without them great Inconvenience may arise. The officer commanding your Militia must pass his Rec^t for all the public property he receives.

'Tis impossible to prescribe the Time the reinforcement are to serve at Kentucky. They must stay as long as the preservation of the Lives of the People make it absolutely necessary & no longer.

I expect you will employ proper persons to get the provisions on the most frugal plan. Certainly some allowance might be made for wild Meat & so some abatement in the number of Pack horses & other Charges.

I need not tell you of the Necessity of Frugality arising from the great Extent & Variety of Military operations that all together bring on monstrous Expence to the State.

I would send up Ammunition but have no conveyance. If the Quantity necessary can be had your Way, it shall be replaced from hence by the first Waggon.

Major Bledsoe has orders to deliver the Pack Horses necessary out of the public Horses near the Great Island. I hope less than you mention will do. I am Gent^l

Y^r mo hble Ser^t

P. HENRY J^r

[Endorsed in Draper's handwriting:] To Col^{os} W^m Fleming of Botetourt & Col. W^m Preston of Montgomery By M^r Boone.¹⁸⁰

[Endorsed also in Draper's handwriting:] P. Henry- 1777- Col. Shelby(y) and Maj. Bledsoe.

1777; retired 22d April, 1779; commissioner of the Board of War, 7th December, 1779; resigned 10th September, 1781.

For sketch of William Grayson, with letters, see *Tyler's Quarterly Magazine*, V. 197.

¹⁸⁰ The few settlers in Kentucky were then hard pressed by the Indians. The relief expedition, the subject matter of the foregoing letter, was absolutely essential for their protection.

The Mr. Boone by whom the letter was sent to Colonels Fleming and Preston was probably a relative of the famous Daniel Boone, at that time a captain of militia in the newly formed county of Kentucky and always at hand when the danger was great. Following is a full list of the officers of the county: David Robinson, county lieutenant; John Bowman, colonel; Anthony Bledsoe and George Rogers Clark, majors; Daniel Boone, James Harrod, John Todd, and Benjamin Logan, captains.

In W. W. Henry's "Henry", III, 53, this letter is printed, with one or two typographical errors, and erroneously addressed "To the officers who were to command the Forces marching to the help of Kentucky".

GOV. HENRY TO GENERAL ADAM STEPHEN.

(From W. W. Henry's "*Henry*," III, 51.)

W^msburgh, Mar. 31, 1777.

You tell me, my dear General, more in a paragraph, than others do in a page. Continue your agreeable correspondence, & gratify that curiosity which is eager to know every circumstance of the Army at this interesting Period. Poor Thurston¹⁸¹ met with a Rebuff I hear. I am anxious for him to live, & in the next affair that he may have better Luck.

Pray how are your people armed, & what prospect have you as to arms in future. Great exertions are made here to import & fabricate. I hope Congress have tho^t of doing so in Time. We have ab^t 100,000 lbs powder. The Hunters make very fine, & in plenty. I am just sending sulphur to them. It is the only ingredient they want.

The Cherokees are likely to plague us again. Those whose Towns are destroyed lay out & war on our people. I fear their party increases so as to become formidable. Orders are dispatch'd as to Pluggy's Town. Give me your opinion as to Pittsburgh. Its great importance you know. If that is lost, we shall retain no post from the Gulf of St Lawrence to the mouth of Mississippi. I hear a Fort is building at Sanduske. Stewart¹⁸² is gone to the Ohio Nations, many of whom I fear are Enemys. In this situation may not an armament come ag^t Port Pitt; especially if there is no Diversion in Canada. By attacking that Fortress the Enemy will act systematically, as Howe seems to make an impression in Jersey. But I wish for your sentiments as to the number of Troops necessary for that Garrison. I have order'd some Cannon & repairs there. But the great distance wont permit me to know how the Orders are executed. Enlisting goes on badly. Terrors of the small-pox added to the Lies of Deserters &c, &c, deter but too many. Indeed the obstacles & discouragements are great.

My Kinsman Winston, whom you mention, is clever. He is a gentleman that may be rely'd on. He commands a company of Continental Regulars from Han^r County. I shall tell him of yours. How many subalterns do you want? An army of them may be had. Is there any certainty of their being provided for? As they are but low in cash they are shy of going so far, unless on a certainty.

Adieu, my dear Sir. May we live to see the happy Days of Victory, & safety which will result from that alone; & may the present Times be remember'd by us with that pleasure which a wise Improvement of them will give. May you long live in the full enjoyment of that Happiness you so nobly struggle to give your country.

Y^r ever,

P. HENRY. J^r

¹⁸¹"Thurston" should be "Thruston". Charles Mynn Thruston was colonel of one of the Continental regiments and had been seriously wounded on the 8th of March at Amboy.

¹⁸²Probably Capt. John Stuart (Stewart), one of the three saved from the massacre at Fort Loudon in 1758. Appointed by the British government at the close of the French and Indian War superintendent of Indians for the Southern Department. He had great influence with the Indians. He was a Loyalist in the Revolutionary War and went to England before its close.

GOV. HENRY TO THE COUNTY LIEUTENANT OF
ALBEMARLE.

(From Jefferson Papers, Library of Congress.)

Wmsburg March 31. 1777-

Sir

By the Bearer Lieut Ja^s Meriwether¹⁸³ I send two hundred and thirty six pounds 16s. for the recruiting soldiers in your County and the adjacent ones, to serve in the Battalions of this Commonwealth. You are to be assisted by Your Field officers in chusing 1 Captain 2 Lieutenants and one Ensign of the most proper persons who have the best chance to raise their Men quickly and deliver them the money I send taking Bond & security from them to account for the same to me when required. This done they are to proceed to recruit, the Captains 28, y^e first Lieutenant 20 y^e 2^d Lieutenant 16 and the Ensign 10 for their Quotas. At the end of 3 Weeks after they get the money they must inform me what success they have had, and they will be continued, if like to get their Quotas if not they will be discontinued & others appointed upon your recommendation which please to send after the expiration of the above Time, if the Quotas are not full. If you cant conveniently get all the field officers to assist in the appointments proceed with any one of them to send out proper persons on the recruiting Business & be sure to let me know their Success at the end of 3 weeks after they get the money. I send but half the Bounty & enlisting money for a full Company but if more is wanted send by any safe hand or borrow it by some means & I will send it when called for.

I must entreat that you Sir and every Gentleman in your County assist by your Influence & Interest in filling this Company without loss of time, & let me know by the Bearer how soon you think it may be done. The men may be well Clothed here

I am

S^r

your hble Serv^t

P. HENRY J^r

Albemarle

[Addressed:]

The County Lieutenant
Albemarle

[Indorsed:]

Papers relating to enlistment
of company for Colonial service
April 1777

GOV. HENRY TO GOV. CASWELL.

(From "State Records of North Carolina," Vol. XI, pp. 438-439.)

Wmsburg, April 1st, 1777.

Sir:-

Last spring the Convention of this Commonwealth directed two large Gallies¹⁸⁴ to be built for protecting your trade & ours. Will you

¹⁸³James Merriweather, 2d lieutenant 1st Virginia State Regiment; lieutenant, 1778; was serving in Baylor's Regiment Continental Dragoons at end of war.

¹⁸⁴These vessels, appropriately named the "Caswell" and the "Washington", were built at South Quay, on the Blackwater, a very important entrepot in the Revolutionary War. See C. O. Paullin's "The Navy of the American Revolution: its Administration, its Policy, and its Achievements."

be pleased to tell me in what state they are, & how soon they will be fit for service. A considerable quantity of European goods were sent from hence to Edenton or Halifax, and there deposited. They were intended for the use of Col^o Muhlenburg's Regiment; but as it marched to the North, the goods will be sent for, if you will be so obliging as to enquire for them & tell me in whose custody they are. I hope you'll please to excuse the trouble I give you, as I really know not whom else to apply to, or by what other means to preserve the goods from being entirely lost. From the last intelligence I am inclined to think the Cherokees will be further troublesome. In every instance I shall be happy to cooperate, with your State, but especially in matters respecting these Indians, in whose enmity or friendship the back settlers of Virg'a. & Carolina are so deeply interested. I did myself the honor to inform you of a treaty appointed to be held with them. It may possibly produce something. If offensive operations become necessary, is it not best to postpone it till corn is planted? Will you please to favor me with your sentiment on this subject, & thereby greatly oblige him who has the honor to be with esteem, sir, yr. mo. obt. servt.

P. HENRY, Jr.

His Excellency Richard Caswell,
Governor of North Carolina.

(From Journal of the Council.)

Wednesday the 2nd day of April 1777

The County Lieutenants of the Counties of Lancaster, Northumberland Richmond, westmoreland Middlesex, Gloucester, York, Warwick, Elizabeth City Norfolk, Princess Anne, Nansemond and Isle of Wight, are desired forthwith to apply at the public magazine, in order to be furnished with one pound of Gunpowder for each man of the Militia in the said counties who is furnished with a Gun. The powder to be paid for by the militia at the price it cost the public. It is expected that the Officers and men in the said Counties, will take care to be trained, armed, and accoutred in the best manner, as they are so liable to be attacked by the Enemy. The Courts Martial will observe that those persons receiving this powder, or having it offered can no longer be excused from the legal fine if they do not produce it when called for as the Law directs.

The Governour informed the Board, that being sensible of the necessity of having the Battalions of this Commonwealth made up as speedily as possible, and finding that the officers now recruiting for this purpose make but little progress, he had during the recess of Council [from 27 of March to April 2] thought fit to send up by Lieutenant Jacob Vallentine seven hundred and ten pounds, ten shillings, and by Lieutenant James Meriwether four hundred and seventy three pounds twelve shillings to the County Lieutenants of Pittsylvania, Bedford, Augusta, Albemarle & Amherst it being half of the Bounty and recruiting of five compleat Companies. That he had written to the said county Lieutenants to make choice with the help of their respective field Officers of proper persons to be Officers, to deliver to each his respective

quota of money, taking Bond for the faithful accounting for the same when required so to do, to send for, or borrow a further sum of money when it shall be wanted; to lend all possible assistance to the officers so recruiting and to make known to the Board their Success in that Business at the end of three weeks after receiving their recruiting money. That he had granted a Commission to Isaac Smith esquire Naval Officer for Accomack County, he having qualified and entered into Bond according to Law. That he had issued his warrant to William Page for one hundred and fifty pounds upon acco^t as a public express.

Resolved that the proceedings of his Excellency during the recess of Council be approved and entered on the Journals.

Friday the 4th day of April 1777

Colonel David Mason,¹⁸⁵ having communicated to the Board a Letter from his Excellency General Washington commanding him to march with his Regiment, and to leave his Lieutenant Colonel to manage the recruiting service here; and the said Colo Mason having represented that as major Richardson appointed to his Regiment is now to the Northward, and it is uncertain whether he will accept his appointment and that the presence of the said Lieutenant Colonel is absolutely necessary on the march which begins today more especially as the inoculation of the said regiment is to be speedily begun. This Board on Consideration of the matter, recommend to Colonel Mason that as he cannot strictly comply with General Washington's orders by marching with the major of his Regiment, and leaving his Lieutenant Colo here for the reasons aforementioned, to direct Colo Innes who is Lieutenant Colo to proceed on to the northward for the present 'till the General may please to give further Orders.

Upon Considering a Letter from Carter Braxton esquire, addressed to the Governour and Council, praying that a speedy distribution of salt may be made to relieve the distresses of the Inhabitants of King William County, and some other counties adjacent, or if it should be inconvenient to make a general distribution of salt at present the said Braxton desired that he might have a certain quantity delivered at Cumberland on York river to be disposed off by him for the use of the several Counties alluded to, upon condition that he wou'd deliver the same quantity free of charge in lieu thereof at Suffolk, in the county of Nansemond out of a cargo lately imported by the s^d Braxton at South Quay. It is therefore ordered that one thousand Bushels of salt be delivered to the said Carter Braxton at Cumberland aforesaid on consideration that he shall deliver for the use of this state the like quantity at his cost and charge at such place on James river as this Board shall hereafter direct.

His Excellency is requested to remind Congress by Letter of the distressed situation the Inhabitants on Ohio will be in, upon the Removal

¹⁸⁵David Mason, of Sussex, member of the House of Burgesses in 1758 and many succeeding sessions. Member of the Conventions of 1775 and 1776. Commissioned colonel 15th Virginia Regiment November 12, 1776, and resigned July 31, 1778, but later commanded a volunteer or militia regiment in the Southern Army, V. H. M., XV, p. 180.

of the Continental troops from that quarter & request that the regulars on Ohio, at least so many of them as will make up the two hundred new Levies, a Battalion may be continued there.

Colo William Finnie having made an Offer to this Board of the wood Tents purchased by him as Quarter master for the use of the continental army. Resolved that the said Colo. Finnie be desired to place two thirds of the said tents at Camp, and the other third at York Town, & that he be paid whatever sum the tents may be worth when so placed, and properly repaired in the opinion of the workman who first built the same, compared with the first cost.

Saturday the 5th of April 1777.

Resolved that Captain George Gooseley, be appointed to superintend the repairing, cleaning, filling, and loading for sea the several ships and vessels to be employed in the trade of this Commonwealth, in the room of Richard Taylor who has resigned, and that he be allowed twenty shillings per day for his pay and expences.

GOV. HENRY TO MR. WILLIAM FRAZER, OF KING WILLIAM CO.

(*Papers, Navy, Manuscript Vols. in the Va. State Library, Vol. III.*)

W^msburg Apr 5th 1777.

Sir,

Underneath is a List of the Counties with the Quantities of Salt allotted to each of them. The Justices of the respective Counties are directed to apply to you for their proportions.

You will be pleased to receive of those who apply for the Salt 12 / 9 per Bushel for Cost and Charge of Landing 4^d per Bushel as your allowance for receiving & delivering and 1 / 3^d per Bushel for Shrinkage or loss of measure amounting in the whole to 14 / 4 per bushel.

I am

Your hble Serv^t

P. HENRY.

Caroline.....240

King and Queen 170

Mr William Frazer.

King William

(*From Journal of the Council.*)

Monday the 7th day of April 1777.

The Governour and Council being of opinion that the Guns formerly paid for at the rate of four pounds five shillings to Philip and Henry Sheats, are according to a sample produced of the value of five pounds each when estimated by the standard prescribed in a Resolution of the General Assembly; it is ordered that the additional fifteen shillings be paid and mr Tho^s Rutherford is empowered to pay the same out of the money in his hands upon receiving Captain Morgan's certificate of his having received the said Guns.

Wednesday the 9th day of April 1777.

A distribution was made of the salt purchased by the public since the last distribution, according to the number of Tithables in each County as will appear from sundry papers filed.

GOV. HENRY TO GOV. CASWELL.

(From "State Records of North Carolina," Vol. XI, pp. 446-447.)

Williamsburg, Apr. 11th 1777.

Sir,

A letter from Gen. Washington is enclosed, I beg you to send it forward from your State.

I have the pleasure to send you a copy of a letter rec'd last night, and I congratulate you on its contents. Any intelligence on the subject of Indian affairs will lay an obligation on me. I beg leave to refer you to my former letters on that subject.

With great regard,

I have the honor to be &c.

P. HENRY.

Gov. Caswell.

GOV. HENRY TO COL. DAVID SHEPHERD.

(From Thwaites & Kellogg, "Revolution on the Upper Ohio," p. 247.)

W^msb'burgh April 12th 1777.

Sir

The Expedition against Pluggys Town is to be laid aside by a Resolution of Congress.

I am Sir Y^r hble serv^t

P. HENRY

Col^o David Shepherd, Ohio
public Service by Express

(From Journal of the Council.)

Saturday the 12th day of April 1777.

The Governour having received information from Congress of the embarkation of three thousand men¹⁸⁶ at Staten Island, and that the destination is probably to Chesapeake Bay; and it appearing from a return just made that Portsmouth is in a very weak condition, & particularly in want of the assistance of some companies of Artillery. Ordered therefore that Gen^l Lewis be requested to attend and confer with the

¹⁸⁶"Wednesday some dispatches were received here, by express from his Excellency General Washington, said to bring advice of an embarkation of 3000 of the enemy at New York, on board of transports, with a number of flat bottomed boats. Their destination had not transpired when the express left".—The *Virginia Gazette*, April 11, 1777.

See letter of Richard Henry Lee to Patrick Henry, dated April 7. "Letters of R. H. Lee", I, p. 270.

Board on this subject. The General attending accordingly informed the Board that the Continental Regiment of Artillery consisted at present about three hundred men, and that with their approbation he would order two hundred of the said Regiment to Portsmouth, he also informed the Board that he thought it wou'd be necessary they should be supplied with necessa . . . from the magazine in Williamsburg which is ordered accordingly.

Tuesday the 15th day of April 1777.

It being suggested to this Board, that some errors have been made on the several pay Rolls of the Troops lately employed on the Cherokee expedition and in the pay Rolls of the several companies of militia, also employed on the south western frontiers. Ordered that the paymaster mr Maddison, do suspend or delay the payment of all such pay rolls as appears to him erroneous until they can be reexamined by Colo William Christian who was Commander in chief on the aforementioned expedition.

Ordered that mr Thomas Rutherford be directed to deliver to the Order of the Commanding Officer at fort Pitt, such Arms as he may judge necessary for the defence of that Post.

Whereas George Rice received of this Board money to recruit a complete company of Regulars for the service of this State, and it appearing by a Letter from major William Heath of Colo Morgan's Battalion of Continental troops that the said Morgan's Battalion is incomplete for the want of one Company. It is ordered that the said Rices Company be incorporated in the Continental Battalion, and the Lieutenant Governor is requested to acquaint major Heath thereof, and require him to march the said Rices company forthwith to join General Washington.

JOHN PAGE LIEUTENANT-GOVERNOR,¹⁸⁷ TO COL. GEORGE MORGAN AND COL. JOHN NEVILLE.

(From "*Revolution on the Upper Ohio*," (*Thwaites and Kellogg*),
p. 247.)

W^ms^burgh in Council April 15th 1777.

Gentlemen

As an Express was sent off to you last week in consequence of a vote of Congress to suspend the operations which were meditated against Pluggy's Town; and as Congress have under consideration many of the important articles mention'd in your Letter now before us, & the ensuing Assembly should be consulted on some of them- we can only at present recommend it to you to prevent an Indian-War as far as

¹⁸⁷Governor Henry was absent until the session of Saturday April 19. His uncle, the Rev. Patrick Henry, of St. Paul's Parish, Hanover County, died on April 11.

lies in your power, & to be prepared against any attack in the best manner your situation will admit of¹⁸⁸

I am Gentⁿ Your most obed^t serv^t

JOHN PAGE.

P. S. We are as much at a loss to know where St. Louis is, as you can be, but suppose it to be where you mention.

To Col^o George Morgan &

Col^o John Nevill at Fort Pitt.

To Colonel David Shepherd Ohio County

On the public Service by Express.

Rec^d Fort Pitt April 27th

GEO. MORGAN.

(From Journal of the Council.)

Wednesday the 16th day of April 1777.

John Page Lieutenant-Governor.

Whereas application hath been made to this Board by Several french Gentlemen for permission to raise a Corps of french troops, and to form, discipline, and dress them in the manner of french troops, and whereas it appears that such forming a Corps wou'd be the most likely method of introducing good discipline, neatness in the dress, and a laudable spirit of emulation amongst our troops and wou'd most probably greatly interest the french in general as well as a great number of gentlemen of that gallant Nation in our behalf, whose assistance we the more stand in need off from the great Backwardness of our men to engage in the service of the state or in that of the United States. Resolved therefore that recruiting instructions be given to Monsieur Delaporte D^c Crome to enlist as many foreigners as will complete one Company, and that he shall receive a captain's command on completing a Captain's Quota of Men.

Ordered that a warrant issue to Monsieur Delaporte DeCrome for eighty nine pounds twelve shillings on acco^t to recruit a Captain's Quota of Men.

Upon Considering an Agreement entered into by the Committee of Safety with John H. Norton esquire to take all the Gunpowder he shou'd import into this State, at the rate of six shillings per pound and considering also that more than fifteen months have elapsed since such agreement was made, and that the said Norton had not imported until very lately so much Gunpowder as the public service required, whereby this Board was obliged to purchase and procure that necessary article by various ways and means, and being at this time possessed of a great quantity. Resolved therefore that the said price of six shillings per

¹⁸⁸The postscript of a letter (see "Pennsylvania Archives," V, p. 288) to which the above was a reply, reads as follows: "The County Lieutenant who is ordered to send 100 men to meet Cap Lynn with the Powder, is at a loss to know how far to proceed, or where St. Louis, on the Mississippi is—there being one place of that name 160 miles above the mouth of Ohio & no settlement or Fort less than 400 miles below the Ohio—the nearest is at the River Arkansa."

pound for Gunpowder ought no longer be given to any person whatsoever, and that this Board will for the future take no more Gunpowder from the said Norton at the price aforesaid, unless he shall make it appear to this Board that the same was bona fide purchased in Consequence of the above mentioned agreement with the Committee of Safety, for the use of this Commonwealth before the date hereof, and it is further ordered that all such Gunpowder shall be imported within six months from this time, and that then the said Agreement shall be at an End.

Ordered that the Navy Board be requested to give Orders for a proper Galley to attend at Burwell's ferry or the College Landing to convey immediately Arms and Ammunition to Portsmouth.

Ordered that Commanding Officer of the Troops of this Commonwealth, stationed in this City, be directed to make a Return to-morrow to this Board of the troops under his command, of the number and condition of their Arms, and where barracked; and that he make such return weekly; also that the said Officer be desired to attend on the Board tomorrow at twelve O'Clock.

JOHN PAGE, LIEUTENANT-GOVERNOR, TO THE COUNTY
LIEUTENANT OF ORANGE.

(From *Jefferson Papers, Library of Congress.*)

In Council, W^msburg Aug^t 16, 1777-

Sir,

You are hereby required to equip & march down to this Station two Companies of your Militia to consist of fifty Men each at least, under proper Officers. The present formidable Invasion by the Enemy's Fleet renders the utmost Expedition in the Execution of this Order indispensably necessary.

I am

Sir,

Your most hble Serv^t

JOHN PAGE

P. S. By equipping the Men You will understand they are to be supplied with Guns, Blankets, & all other Necessaries-

Orange

[Addressed:]

On public Service

To

The County Lieut^t
of Orange

by Express

JOHN PAGE, LIEUTENANT-GOVERNOR, TO GOV. CASWELL
OF NORTH CAROLINA.

(From "*State Records of N. C.,*" Vol. XI. p. 451.)

In Council, W^msburgh, April 17th. 1777.

Sir,

Your letter of the 11th instant by express to his Excellency the Governor he rec'd, & being too much indisposed to attend at the Board

he desired me to lay it before the Council, I have therefore, Sir, the honor of writing you a few lines- for the multiplicity of business before us will permit me to write but a few. The Commissioners appointed by this State to treat with the Cherokees, were directed to inform your Excellency of the time & place they should appoint to meet the Indians: but as they have failed to do so and the day of meeting agreed on by your State, & So. Carolina, & Georgia, being now so near at hand, & the place at a great distance, I fear it will not be in our power to meet at that time: but I hope the Commissioners who shall meet, will proceed in their important business, as there can be no doubt that they will conclude no treaty which will not be for the common good, & that they will pay an impartial regard to the interest of any State which may not happen to have its Deputies or Commissioners present.

I am, Sir, your most obed^t Serv^t

JOHN PAGE,
Lieut. Gov.

To his Excellency Ricd. Caswell, Gov. &c.

(From Journal of the Council.)

Thursday the 17th of April 1777.

Ordered that the Keeper of the Magazine deliver to Lieutenant Piper sixty stand of Arms, Cartouch Boxes &c. for the use of Captain Hoffer, and Bressie's Companies at Portsmouth.

Ordered that the Commanding Officer at Portsmouth be impowered to call on the County Lieutenants of Norfolk, Princess Anne, Nansemond, Isle of Wight Counties for such a number of militia from their respective Counties as he may judge necessary for the defence of the Garrison at Portsmouth in case he should have reason to suspect any sudden danger, and such county Lieutenants respectively are ordered to comply immediately with such requisition.

The Guard house having been represented to this Board as insufficient for the securing of sundry deserters and prisoners. It is Ordered that the Commanding Officer at this station, be permitted to make use off the public Jail as a place of security; And the Keeper of the said Jail is hereby ordered to receive any such prisoners or deserters as the said Commanding Officer may think proper to send him.

The Director of the several public salt works in this State are desired to the utmost of their power to use their diligence in having the said works compleatly finished immediately to transmit to this Board a report of the state of the said works, and the prospect they have of making salt, before the meeting of the General Assembly.

On the petition of James and Jos Ward who were in the Brig Industry on a Voyage from Martinco to this State, with a useful Cargo, taken prisoners by the British Frigate Emerald, and set on shore destitute of every necessary of Life. Resolved that a warrant issue to them for five pounds to enable them to return to their former places of Residence, or to get into some Business for their future support.

A Letter was written to His Excellency Richard Caswell of North Carolina on the subject of the Indian Treaty. a copy filed and ordered to be recorded.

Friday the 18th of April 1777.

The Congress having sent an order on the deputy Paymaster General in this state to pay to the Governor and Council four thousand dollars for the purpose of paying the Bounties of the two hundred men ordered to be raised for garrisoning the Forts on the Ohio. Ordered that the same be delivered to Treasurer of this State, properly endorsed to enable him to receive the value for the use of the Commonwealth.

Ordered that the Keeper of the Magazine deliver to Captain Muter of the Hero Galley two thousand five hundred weight of Gunpowder, fifty Balls, and all the double headed sliding and chain shot for a twenty five pounder with one Box of Lamage to be by him conveyed to Portsmouth.

A Letter was written to Colo George Mason¹⁸⁹ requesting him to take charge of two hundred Barrels of Powder, imported by Messieurs Norton and Beale for the State. A copy filed.

Saturday the 19th day of April 1777

Upon application to this Board by mr Thomas Maddison praying they would reconsider their resolution of yesterday respecting an allowance made to him as commissary & paymaster to the troops employ'd on the s^o western frontiers, and on the late expedition to the Cherokee nation, and on considering the opinion of the commissioners on that subject it is ordered that the s^d resolution be rescinded, and it is further ordered that on condition that the s^d Maddison will ensure to the public the whole amount of debts (which he now agrees to do) for sundry horses and other articles sold on credit on public acco^t appearing to amo^t to upwards of £4,000 a considerable part of which consists in small debts that he shall be allow'd 2½ per cent on the whole of money, that he shall pay away as commissary and paymaster afores^d as a full compensation for his whole services.

Monday the 21st day of April 1777.

Resolved that the Commissary of stores be directed to purchase from time to time a sufficient quantity of Rum, or other good spirits to supply the troops in the service of this state and that he employ proper persons at every place where a sufficient number of troops are stationed to supply the soldiers in such manner as the commanding Officer shall direct, and at such price as will repay the Public the first cost of such rum, and all charges attending the same, including the wages of the persons so appointed to retail the same at one Dollar per Gallon.

It being represented to the Board that there are several claims on the Continental Treasury for apprehending Deserters, which cannot be paid on acc^o of the paymaster here being instructed by a Late Resolution of Congress not to pay any money whatever without the warrant of Congress or a General Officer, these will be attended with every pernicious Consequences to throw any discouragements in the way of persons willing to do such essential service to their Country at a time when the most vigorous military exertions are necessary. Resolved therefore that the Treasurer of this State be directed to pay all

¹⁸⁹For letter of George Mason to Gov. Henry, dated April 6, see "George Mason" by Kate Mason Rowland, Vol. I, 280.

such accompts from time to time for services of the above kind as the Commanding Officer at Williamsburg for the time being shall certify to be just, & that he charge such payments to the accompt of the United States.

GOV. HENRY TO COL. JOHN NEVILLE.

(From "*Revolution on the Upper Ohio*," Thwaites & Kellogg, p. 248.)

W^m ^sburg April 21, 1777.

Sir

Your Despatches by Express arrived here last Saturday; in answer to which I can only refer you to my former Letters respecting the Expedition against Pluggy's Town and as that Business is, by order of Congress laid aside, you must on that account incur no further Expence, indeed, as the Letter alluded to must have got to your Hands soon after the present Express set off I am in hopes it will give you full satisfaction with regard to all your Inquiries.

We are just informed by Congress that they for some time past have had the critical situation at Fort Pitt, under their consideration and have formed a Resolution of sending one thousand Rifles for the use of the garrison, and for supplying such of the militia, as may be hereafter called upon to defend that Post. I am Sir

Your mo. ob^t Serv^t

P. HENRY

To Col^o John Nevill at Fort Pitt
On public Service P. Express

[In the Manning Collection, New York, there was a letter of Gov. Henry, dated April 25, 1777, to Gov. Johnson of Maryland, in regard to the British ships infesting the coast, and asking for the aid of Maryland in driving them off. Gov. Johnson's answer is printed in the "*Archives of Maryland*," Vol. XVI, pp. 232-233.

The Manning Collection was a very large collection of autographs formed by the late Col. James H. Manning, of Albany, N. Y. The American autographs in this collection were sold at auction by the Anderson Galleries, New York, on the 19th and 20th of January, 1926. The Virginia State Library failed to buy the Henry letter referred to above, and it was also unable to secure from the purchaser a copy, or copy of a second Henry letter. The purchasers of other Henry letters at this sale, however, or those to whom the letters finally came, very courteously sent, on request, to the library photostat copies of the letters; and they are printed in this volume.]

(From *Journal of the Council*.)

Tuesday the 22nd day of April 1777

Ordered that the Navy Board be requested to furnish this Board with a state of the marine, & an account of the naval stores by them provided, and also a state of the several public vessels now Building under their direction. And that they be further requested to furnish the

Agent of this State with an Inventory of such Articles as are necessary to be imported for the use of the Navy.

Ordered that such recruiting Officers as have been appointed by this Board before the twentieth of March last, and have not made up their Quotas of Soldiers, do forthwith make out and return a state of their enlistments and account for the money by them respectively received.

It being represented to the Board that there is a number of soldiers at and near this City, belonging to the Continental Army who are under orders to march northwardly. But that the said Soldiers are utterly unfurnished with money, and have considerable arrears of pay due to them, and that the paymaster is in doubt as to issuing such pay without a warrant from a General Officer for that purpose. This Board on consideration of the matter, and from a plain conviction of the necessity of the Case, and for avoiding the great detriment which must otherwise ensue to the service, do recommend to the said paymaster upon a certificate of the commanding Officer on this station, to issue to the soldiers in the Continental service under marching orders, the arrears of pay so their march may be no longer delayed.

Col. Innes having informed the Board that fifteen Blankets are much wanted for some Continental recruits on their march to Headquarters, and there being none in the Continental store it is ordered that as Blankets are very scarce the commissary of stores be directed to furnish the recruits with as much coarse cloth as will do instead thereof.

Wednesday the 23rd day of April 1777.

Ordered that the Keeper of the public Goal be directed to carry all the prisoners, under sentence of death to the Church in this City every Sunday between the time of their condemnation and execution.

Thursday the 24th day of April 1777.

His Excellency the Governour is advised to issue his proclamation, requiring all subjects of this Commonwealth, and more especially the several County Lieutenants, and other Militia Officers, to make diligent search for all deserters from the Army of the United States of America, as are lurking within this state, and them having found to convey to the City of Williamsburg under a proper guard, or deliver them to a Continental Officer, taking his receipt for the same.

Ordered that a warrant issue to _____ for the use of Colo Zachariah Morgan for three hundred and sixty two pounds ten shillings on acc^t to buy flour and other necessaries for the detachment of one hundred men under the command of major James Chew, going for powder to fort Lewis, brought there by captain Lyme; also for advancing to each man twenty shillings, and for paying spies &c. A Letter on the subject was written to the said Colo Morgan & ordered to be recorded. And it is further ordered that Colo Rogers be directed to furnish major Chew with ten thousand weight of pork or Bacon for the use of the said detachment.

Friday the 25th day of April 1777.

Ordered that Colo Aylet our Agent be directed to give Orders that the vessels which go to Nantz with tobacco on account of the State, take in loads of salt at that place for a return Cargo; and that the military stores, clothing Blankets and other Goods mentioned in his invoice to be imported on the public acco^t be shipped from Nantz to Cape Francois in french vessels, making insurance, and from the latter place to be imported into the Inlets of North Carolina in small vessels of our own in case no war takes place between France and England. But in case of such war the said Goods to be shipped from Nantz, directly to Virginia in french Bottoms making insurance on them. In case the salt cannot be purchased for a moderate price at Nantz the tobacco vessels are to proceed in Ballast to cape Francois or the Mole,¹⁹⁰ and their take in their Loads of Salt. In case no french Bottoms can be had, to take in the Goods from Nantz or if a war happens between France and England one or more of [our] own vessels may be loaded with the Goods. Colo Aylet is also directed to make insurance on the vessels and tobacco if it does not exceed 25 per Cent.

Saturday the 26th day of April 1777.

Ordered that the Arms imported from St. Eustatia in the Boat Molly Captain Pasteur, be sent to Richmond, addressed to the care of the County Lieutenant of Henrico.

Ordered that a warrant issue to Frederick Warneck for five pounds on accmpt as Engineer, also to Jacob Duner for two pounds for his expenses in the engineering Business.

The Board taking in consideration the merit of Captain Pasteur, and recollecting the intimation given him previous to his voyage that an extra allowance would be given him in case he made an importation of Arms for the state, and it appearing that the said Pasteur hath performed an expeditious voyage to Charles Town, and from thence to St. Eustatia, and hath returned from the latter place with about eight hundred stand of good fire Arms. It is ordered in Consideration of the premisses as an encouragement to him and others in like Circumstances that twenty five pounds be allowed to the said captain Pasteur, and that fifteen pounds besides be distributed by him among his Officers and Crew of the Molly as an extra allowance over and above their pay respectively.

Monday the 28th day of April 1777.

Ordered that the Quarter Master to the troops of this state, be directed to let Captain Delaporte have use of one of the public Horses, the better to enable him to recruit his quota of men.

Noel Roagemon Gaulon, a native of S^t Domingo having enlisted himself as a soldier in the service of this state under Captain Delaporte Crome, presented a petition to the Board setting forth that he was unjustly claimed as a slave by Goulon his father, who has demanded him of his captain; and praying the protection of the Government in declaring him a freeman, On Consideration whereof it is ordered that it

¹⁹⁰The Mole St. Nicholas, San Domingo.

be signified to the petitioner that this Board have no authority to declare his Right of freedom, but that it must be determined in a due course of law, to which end it is further ordered that Jn^o Tazewell esquire be desired to apply to James City court in Behalf of the petitioner for Leave to sue in that court for his freedom, and that the said petitioner in the mean time continue to do duty as a soldier.

Wednesday the 30th day of April 1777.

It is ordered that all Officers of the Continental forces now in this Commonwealth do forthwith make out exact returns of their respective corps, and transmit them to this Board agreeable to a Resolution of Congress passed April 14. 1777.

Thursday the 1st day of May. 1777.

Whereas it appears to this Board that many Irregularities have been committed by the soldiers quartered in this City and several other places, and great Injuries have been done by them to the Houses in which they have been barracked, and to the Houses and enclosures near such Barracks &c.

Resolved that the Commanding Officer in every Garrison, and at every station within this Commonwealth, be directed to give out in general Orders, that from and after the publication hereof all damages sustained by the proprietors of any Houses, Inclosures &c. which shall be proved to be done, by any Officer or Soldier, shall be made good by such Officer or soldier, and shall be stopt out of his or their pay, and that the Captain or Commander of any company or detachment, on discovering that any House or Enclosure where his company or detachment is barracked, has been in any manner wantonly or carelessly injured, or that other damage has been done, shall forthwith cause such injury to be repaired, and shall pay for such repairs or other damages by stopping the pay of such soldier or soldiers, who committed the Injury and if the offence cannot be proved and fixed on any particular soldier, that then the expence of such repairs shall be stopped out of the pay of the whole company or detachment. And if the Officer commanding such Company or detachment shall fail to make proper enquiry into, and repair such damage, that then the Commanding Officer of the garrison or regiment shall order them to be made and paid for, out of the pay of such Officer. Resolved that the like orders shall be given out to and strictly complied with by all officers and soldiers on their different marches from place to place, and that full reparation be made for all damages done by them on such marches. Resolved that the superior Officers at the stations of Portsmouth and Hampton be directed to make exact returns of the troops of the Commonwealth at each, & transmit the same to this Board without delay.

Ordered that the foregoing Resolves be printed in the Virginia Gazette.

Ordered that Colo William Aylet esquire prepare and lay before this Board a state of the public trade under his management for the Inspection of the General Assembly together with the debts due by the Com-

monwealth on accompt of commodities already purchased and such as may soon be probably incurred in purchasing other proper subjects for Remittances.

Friday the 2nd day of May 1777.

The Board are off opinion the most efficient method of making up the deficiency in Colonel Masons regiment is that the said Mason should remain in this State to forward the recruiting Business and that Lieutenant Colo Innes ought to proceed to the Northward with the Troops already raised in that Regiment, all which is ordered accordingly.

[The General Assembly met on Monday, May 5]

Tuesday the 6th day of May 1777.

The Governour of Georgia, having requested that this State wou'd advance to Jn^o White esquire Colo of the fourth Battalion raised in that State for the Continental Service any sum he might want, not exceeding thirty thousand dollars, and Colo Jn^o Bannister having advanced that Gentleman two thousand dollars to save him the trouble of coming to Williamsburg, and taken his draught on the Treasurer of this State on the Continental Paymaster for that sum. It is therefore ordered that the Continental Paymaster do pay the amount of the said order to Colo Bannister, and inform the Congress thereof; and that he be assured that if any objection shou'd be made by Congress to such payment, this state will reimburse him the said two thousand dollars.

Wednesday the 7th day of May 1777

Ordered that Colo Calloway be directed to deliver two tons of Lead, and Colo Southall two thousand pounds of powder to Captain Isaac Shelby for the use of the troops stationed on the s^o western frontiers.

(From Journal of the House of Delegates.)

Monday, May 12, 1777.

The Speaker laid before the House a letter from the Governor, stating several matters for the consideration of the General Assembly, and referring to papers enclosed on the subject thereof.

Ordered, That the said letter and papers do lie upon the table, to be perused by the members of the House.

[On May 13 the Governor's letter was referred to a committee of the whole House.]

Tuesday May 13.

The Speaker laid before the House a letter from the Governor enclosing one from Col. Christian on the subject of Indian affairs.

Referred to committee of the whole House upon the state of the Commonwealth.

Friday May 16.

Resolved, That it be recommended to the Governor and Council that they cause such clothing, arms, and ammunition, belonging to the Commonwealth, as are not immediately wanting here, together with the public records, to be removed with all convenient despatch to some interior part of the country, not exposed to any sudden irruption of the enemy.

[The Senate reported favorably the next day.]

(*From Journal of the Council.*)

Saturday the 17th day of May. 1777

Thomas Jefferson esquire Lieutenant of Albemarle County produced receipts for the distribution of the sum of thirty pounds which he received upon acco^t for cloathing the Highland prisoners¹⁹¹ in the said county; and also the Bonds of Cap^t James Marks, Lieutenants Isaac Davies and Jn^o Jouett, and ensign Christopher Hudson for £236-16 which they received on acco^t for the purpose of recruiting a company of regulars for the service of this State. Ordered that the said Receipts and Bonds be fined and safely kept.

The Board having information that a number of Continental soldiers, who are recovered from a state of sickness and inability to perform military duty are now ready to march to join the Grand Army, but are prevented from so doing by the want of money. It is recommended to General Nash¹⁹² the only General Officer at present in this State tho

¹⁹¹In the spring of 1776 the British ship Oxford with Scotch reinforcements for Lord Dunmore was captured in Chesapeake Bay. In the Minutes of the Committee of Safety, June 24, appears the following:

Colonel Christian laid before the Board a General List of the Highland Prisoners taken by Captain James and Richard Barron in the Ship Oxford, and also an allotment of them into fourteen divisions to be distributed according to the direction of the General Convention. And it is thereupon Ordered that they be immediately sent to the respective Counties herein after mentioned in the following proportions to wit.

[The names, given in the Minutes, are here omitted: the number in each allotment only is given.]

No. 1—To Albemarle County	15
No. 2—To Amelia	13 and two women.
No. 3—To Amherst	13 and one woman.
No. 4—To Berkeley	13
No. 5—To Buckingham	15
No. 6—To Culpeper	14
No. 7—To Cumberland	16
No. 8—To Fauquier	16 3 women & 1 child.
No. 9—To Frederick	13
No 10—To Goochland	13 2 women.
No. 11—To Loudon	13
No. 12—To Louisa	13 3 women & 2 children
No. 13—To Orange	13 2 women.
No. 14—To Sussex	11
Winchester	2 Cadets
Winchester	9 Sergeants

¹⁹²Brigadier-General Francis Nash, of North Carolina.

not stationed here, to give his warrant to the paymaster for the Continent in this department to issue the said soldiers one months pay upon acco^t to enable them to prosecute their march. The Board are also informed that a number of the Continental troops are scattered in different places upon the road to Philadelphia, having been left by reason of sickness and other causes, & that sundry deserters are collected to join General Washington. It is also recommended to General Nash to issue his warrant to the said paymaster to advance to L^{tn} Colo Innes the sum of twelve hundred dollars upon acco^t to expedite their march likewise. The Board being informed that General Nash has issued his warrant for the payment of one thousand pounds to the Director General of the Continental Hospital on acco. to discharge the several Claims against the Continent for inoculating the Virginia Troops for the small-pox, the same is approved off by this Board, and is adjudged a proper proceeding in the said General Nash.

Tuesday the 20 day of May, 1777.

Ordered that the Quarter Master at the station be directed to furnish proper waggons by Thursday next for the purpose of removing the public Records to Richmond agreeable to a resolution of the general Assembly.

(From Journal of the House of Delegates.)

Wednesday, May 21.

Resolved, That the Governor be desired to order a state of the six additional battalions¹⁹³ voted by the last Assembly to augment the continental army, and also of the three battalions directed to be raised for the immediate defence of this Commonwealth, to be laid before the House; that they may be informed of every deficiency in the new recruits and in what particular parts of the country such deficiencies have happened; that he be likewise desired, so far as it can be done, to order a state of the nine old battalions to be laid before the House, that they may know how many of them have re-enlisted pursuant to the act of Assembly, and what deficiencies have happened in these enlistments.

(From Journal of the Council.)

Friday the 23d day of May 1777

Col. William Christian, one of the commissioners appointed on behalf of this state to form a treaty of peace with the Cherokee Indians, having attended this Board with the proceedings of himself and the other Commissioners at a treaty held at the great Island in consequence of their former instructions. Upon Considering the same this Board entirely approve thereof and think it necessary the same should be laid before the General Assembly, which the Governour is desired to do and Colo Christian having also informed the Board that several of the Chiefs and warriors of the said Nation of Indians accompanied him to Wil-

¹⁹³Hening, IX, 179.

liamsburg. Resolved that they be received and treated in the most friendly manner., and furnished with all necessaries until the General Assembly shall give further directions in the matter.

Saturday the 24th day of May 1777.

On Consideration of the Memorials of Anthony Bledsoe¹⁹⁴ and James Thompson,¹⁹⁵ complaining of the Conduct of Colo Arthur Campbell in respect to the Militia Commissions, and that of the . . . for the county of Washington; the said Arthur Campbell appeared, and denied the allegation of the said memorials. Whereupon it is ordered that the final consideration of the matter be postponed to the thirtieth day of October next, and that in the mean time the parties be able to proceed to the examination of witnesses before any two magistrates of the said county or of the counties of Montgomery and Botetourt, giving each other ten days notice of the time & place of taking the same; and the depositions so taken are to be sent inclosed without delay by the Justices taking the same, to the Council Office.

GOV. HENRY TO GEORGE WYTHE.

(*From Va. State Archives, Ex. Com.*)

May 24th, 1777.

Sir.

The Treaty lately concluded with the Cherokees¹⁹⁶ I have the Honor to transmit to the House of Delegates for their perusal. I am
Sir

Y^r mo. ob^t & very
hble. Serv^t

P. HENRY

The hon^{ble}

George Wythe, Esq^r

Speaker of the House of Delegates

¹⁹⁴Anthony Bledsoe, major and colonel Virginia Militia, 1776-1779.

¹⁹⁵James Thompson, 1st lieutenant 12th Virginia, 1776; resigned 20th October 1777.

¹⁹⁶"The Assembly having referred it to the Governour and this Board, to direct the completion of the Treaty began with the Cherokee Indians in such manner as they think best. *Resolved* that the Governor be desired to confer with the Cherokee Chiefs and Warriors from time to time, during their stay, upon the subject of all disputes now subsisting between them and this State, and of the Treaty of peace now under Consideration with them, and receive any proposals they make, and give proper answer to them, preparatory to completing the treaty to be held at the great Island the 26th of next month, and that this Board will attend at such Conferences as may be appointed, and that Dr. Walker and Colo Christian be desired to provide from the public store or any other place, proper presents to be made to the indians now here, and consider of what is necessary to provide for the indians at the next meeting at the Great Island." Journal (1776-1777) p. 422.

(From Journal of the House of Delegates.)

Saturday May 24.

The Speaker laid before the House a letter from the Governor, inclosing the treaty lately concluded with the Cherokee Indians.

Ordered, That the Governor and Council be desired to lay before the House a state of our trade, together with the supplies of arms, ammunition, clothing, blankets, and provisions, for the army, which are now on hand.

GOV. HENRY TO GOV. CASWELL.

(From "State Records of N. C.," Vol. XI, p. 479.)

Wmsburgh, May 25th, 1777.

I beg, dear Sir, to introduce to your notice and encouragement the bearer Capt. Delaport.¹⁹⁷ He is a French Gent'm who is recruiting soldiers for the services of this State. He has made some progress in that business here, and thinks there may be some of his countrymen with you who will enlist. His corps is to consist of Frenchmen, a few excepted, who promise to be respectable for order and discipline.

Your civility and furtherance to Capt. De la port in his business will be acknowledged as a favour conferred on him who has the honor to be with great regard,

Sir your mo. ob. & very hble. serv't.,

P. HENRY.

His Excell'y. Gov'r. Caswell.

(From Journal of the House of Delegates.)

Monday, May 26.

Resolved, That the Governor be desired to proceed, with the advice of the Council of State, to a confirmation of the treaty with the Cherokee Indians, in such manner as they may judge proper; and that it be submitted to their discretion to furnish them with such presents, and advance such a sum of money, as may be most likely to secure the friendship of those Indians to this and the other States.

[Agreed to in the Senate the next day.]

Tuesday May 27.

The Speaker laid before the House a letter from the Governor, informing him the Council Board were under great difficulty in carrying into execution the resolution of the last Assembly for removing out of the country certain natives of Great Britain therein described; the ship

¹⁹⁷His mission was not successful, but he served as a captain of Virginia militia in 1780-1781.

In the Council meeting of April 16th, it was resolved "that recruiting instructions be given to Monsieur Delaporte DeCrome to enlist as many foreigners as will complete one company, and that he shall receive a captain's command on completing a Captain's Quota of Men."—Journal (1776-1777), p. 388.

Albion, in which they were to have departed, having fallen into the enemy's hands, and it being impracticable to send them out in any vessel belonging to this State, and desiring such farther instructions on that subject as the House shall be inclined to give.

Ordered, that the said letter do lie upon the table.

Wednesday May 28.

The House proceeded to nominate persons to be ballotted for a Governor or Chief Magistrate, eight members of the Privy Council or Council of State, an Attorney-General, and a Muster-Master General

(From Journal of the Council.)

Monday 26th of May 1777.

Ordered that the Commissary of stores do furnish Colo Christian with such necessaries for the immediate use of the indians now in this City as he may judge proper.

Ordered that the Commissioners, who were appointed to treat with the Cherokees at the big Island be allowed each six dollars per day for their services on that Business.

Tuesday the 27th day of May 1777

In pursuance of a Resolution of Congress of the fourteenth of April last, it is ordered that Continental Officers, recruiting Soldiers in this State, do forthwith render to this Board acco^t of their Conduct and proceedings in that Business.

Mr Abraham Archer, who has been appointed by the General Assembly Naval Officer for York River District, in the room of Doct^r Pope, appeared and qualified according to Law. Bond.

GOV. HENRY TO GEORGE WYTHE, SPEAKER OF THE HOUSE
OF DELEGATES.

(From the Virginia State Archives.)

In Council W^msburg May 27,
1777.

Sir

The Board of Council being under great Difficulty in carrying into execution the Resolution of the last Assembly for removing out of the Country certain natives of Great Britain in the said Resolution described they find themselves under the Necessity of Communicating the matter to the General Assembly as the occasion may in their judgment require. Without loss of time I issued my proclamation limiting a time for such Persons as were the objects of a Resolution to depart this State. A number of Gentⁿ (chiefly Scots) procured a Ship called the Albion for transporting themselves to Great Britain. But as a good Deal of Delay was unavoidable in fitting out the Ship the Board occasionally protracted the Time allowed these persons to leave the

Country & it is only of late that the Ship could be got in Readiness to come round from South Quay (where she lay) thro Chesapeake Bay to James river.

But unfortunately in making the attempt she has fallen into the Hands of the Enemy and the Board conceive it to be totally impracticable at this Time to send them out in our own vessels which yet is the only alternative provided by the Resolution unless it be to treat those Gentlemen as prisoners of War, but this after the endeavours they have manifested and the expence they have incurred to comply with the Intentions of the General Assembly might be thought hard.

The intended Passengers have suggested to the Council board a possibility of their getting on board the Albion where she now lies with their provisions & Baggage and proceeding on their intended voyage if they were permitted so to do but whether such a method would be proper in case it should be found practicable appears doubtful.

I have only to add Sir that a large number of the above Persons are now at Sleepy Hole in the C^{ty} of Nansemond where they went in order to embark and where they are directed by the Board to remain till further orders.

With great Regard I have the Honor to be Sir

Y^r Mo. ob^t & very

hble. Serv^t

P. HENRY.

The honble

George Wythe Esq^r

Speaker of The House of Delegates.

[Endorsed:]

Governor's Letter May 27. 1777

respect natives of Great Britain.

GOV. HENRY TO GEO. WYTHE, SPEAKER OF THE HOUSE
OF DELEGATES.

(From W. W. Henry's "*Henry*," III, 79.)

May 27th, 1777.

Sir: A number of the chiefs and warriours of the Cherokee nation are now in this City. They are come here for the purpose of ratifying a treaty of peace, which has been for some time under the Management of commissioners appointed for that purpose by the Executive power of this state, as will appear by the papers lately transmitted to you. If the general assembly shall think it necessary to give any direction for conducting this business, the Executive will pay due regard to the same.

The affairs of these Indians will not permit them to remain here but a short time. With great regard I have the honor to be,

Sir Yr. most obt. h^{ble} servt.

P. HENRY.

To the Honorable George Wythe, Esq.,
Speaker of the House of Delegates.

(From Journal of the House of Delegates.)

Thursday, May 29

From the Senate * * * *

And also, the Senate will proceed, by joint ballot, this day, with the House of delegates, to the choice of an Attorney General; but as only one person is nominated for that office, and for the office of Governor or Chief Magistrate, the Senate propose continuing Patrick Henry, Esq. and Edmund Randolph, Esq. in their respective offices without ballot.

The House taking the said message into consideration.

Resolved, That the said Patrick Henry, Esq be appointed Governor or Chief Magistrate of this Commonwealth for one year from the end of the present session of Assembly.

After extended balloting it was.

Resolved, That the said John Page, Dudley Digges, John Blair, Bartholomew Dandridge, Thomas Walker, Nathaniel Harrison, Thomas Nelson jun and David Jameson, Esquires be appointed members of the Privy Council or Council of State.

(From Journal of the Council.)

Friday the 30th of May 1777.

[Mutilated.]

* * * by a flag to the British . . . of the ship Albion, to know of him whether he will permit . . . now under orders to depart this State to embark in the . . . intended voyage to great Britain, that the Officer going . . . the said British Officer, to obtain his Engagement that all . . . employed in carrying on Board the said Passengers and their . . . provisions shall pass to and from the said ship unmolested . . . of the Militia of Nansemond or any one of them, do strictly ex . . . the embarkation of the said British subjects, and see that they . . . but the necessaries for their voyage, and particularly no article of C . . . to be exported to Britain.

(Journal of the House of Delegates.)

Friday, May 30.

The Speaker laid before the House a letter from the Governor, enclosing one from General Washington.

Saturday, May 31.

The Speaker laid before the House a letter from the hon. John Page, Esquire; accompanying the proceedings of the Privy Council, or Council of State.

GOV. HENRY TO GEO. WYTHE, SPEAKER OF THE HOUSE
OF DELEGATES.

(*From Virginia State Archives.*)

W^mburg May 31 1777.

Sir,

As there was no Manufactory of Iron in this State which was carried on to such an Extent, and to Purpose of such vast Importance as M^r Hunter's near Fredericksburg I took the Liberty of promising him the Assistance of the Public in the Prosecution of his Works on a more enlarged Plan. In consequence of this M^r Hunter laid my Letter before M^r John Strode, his Manager, that he might enable him to inform me how far his Works were capable of answering my Expectations. This produced a Letter from Mr. Strode which Mr. Hunter has laid before the Council Board with a Memorial. The Subject of these Papers was of so much Consequence in this State, and Mr. Hunter himself so deserving of the attention of the Public, that I thought it my Duty to lay them before the General Assembly, who alone can enable him to carry on these extensive & valuable Works.

What must strongly recommend M^r Hunter is that he asks for no pecuniary Assistance, but merely for materials to work. He requires only what the Good of the State most evidently points out, which is to open mines within the same, and not to depend on our Neighbours for so necessary an Article as Iron. With great Regard I have the Honor to be

Sir,

Yr mo. ob^t & very hble Serv^t.

P. HENRY.

To the Hon^{ble} George Wythe, Esq

Speaker of the House of Delegates.

[Endorsed:] Inclosing Hunters Memorial with other papers relative thereto.

(*From Journal of the Council.*)

INSTRUCTIONS TO THE COMMISSIONERS APPOINTED TO
TREAT WITH THE CHEROKEE INDIANS.

Tuesday, June 3, 1777

Gentlemen,

I received your Letter dated at Fort Patrick Henry & since that time Colonel Christian has laid before the Board of Council the proceedings of the Treaty held with the Overhill Cherokee Indians, in Transacting of which the Board are of Opinion that you have acted with propriety. I have sent by Express to the Governor of North Carolina notifying him of the Time proposed for the next meeting and desiring him to send Commissioners to aid on Behalf of that State. I have had several conferences with these Indians, and have generally thrown out the same Ideas, that you did, and moreover endeavoured to lead them into the light of our situation with the King of Great Britain, and also

that of our Commercial Connections. I have referred them to you and the Commissioners, who I hope will attend to represent North Carolina, in order to have a boundary line between them & the white people established, and told them that if such Commissioners do not or, when met, will not join you in that Business, that you are to agree with the Indians upon a Line betwixt them and Virginia in the best manner you can for Interest of the Frontier Inhabitants so that you at the same time do strict Justice to the Indians.

It is a very desirable Object to obtain an alteration of our Boundary Line run by Donelson. We cannot communicate with Kentucky with tolerable convenience but through Cumberland Gap. If the Indians therefore will agree to an Extension so as to take in that Place it may be very useful. But at all events it seems necessary to stipulate a Right for our People to travel thro' that Gap unmolested. You are in all your Transactions to keep in view as much as possible the Interests of the united States, as well as that of this particular one. I have sent orders for M^r Madison and M^r Shelby to supply you with what provisions you may want for the Indians, which you are to supply them with, as you think their necessity may require, in Order that they and their Wives and Children may not suffer for want of Bread. The Goods, Ammunition, Salt, Whiskey and Tobacco, which I expect will be laid in, you are to distribute as you may think best to give the Indians satisfaction. You may promise them a further Supply of Goods as soon as our Commerce will enable us to furnish them. As a proper Person residing amongst those people might render great Service to the Country you may employ one for that Purpose, and inform this Board who you appoint and on what Time. If a proper Person cannot be engaged for the above Purpose, you may employ two Traders in whom you can confide to give the earliest Intelligence of any Occurrence that may be of importance. As a Blacksmith may be of great Service in dressing the Indians Guns & doing other suitable Work for them, you may employ one to reside among them if to be had on reasonable Terms. several things may happen in which you are not particularly instructed. in all such Case you are empowered to act for the good of the United States in the best manner you can. Shou'd the Treaty terminate in the Manner this Board expects it will be unnecessary to continue many Troops in Washington County. You are therefore impowered and desired to discharge all the Men on those Stations except such as you think necessary to continue.

Signed

P. HENRY.

DEPOSITION OF GOV. HENRY AS TO PURCHASE OF LANDS FROM THE INDIANS.

(From Va. State Archives, Executive Papers.)

The Deposition of Patrick Henry Esquire; who being first duly Sworn deposeth & Saith,

That early in the year one thousand seven hundred & Seventy four as well as he remembers the hon^{ble} W^m Byrd Esq^r dec^d, having said

that the Cherokee Indians had offer'd to give him a Tract of Land some years before, & Falling into Converstion on that Subject with this deponent, He the said W^m Byrd together with the Honble John Page Esq^r dec^d & this deponent agreed to send a Certain M^r Kennedy to the Cherokee Nation to see if they were willing to part with some of their Land on the Waters of their own River in Virginia, to convey the same to them & not for the State. Col^o Christian was to be a Partner if the Scheme succeeded. Upon M^r Kennedy's return he informed this Deponent that he had been to Col^o Byrds & had let him know the answer of some of the Indian Chiefs & Communicated the same to this Deponent, which was, that they were willing to treat on the Subject. Not long after this, & before any Treaty was Resolved on, the Troubles with-great Britain, seemed to Threaten Serious Consequences, & this Deponent became a member of the first Virginia Convention, & a member of the first Continental Congress, upon which he Determined with himself to disclaim all Concern & Connexion with Indian Purchasers for the Reasons following, that is to say. He was Informed shortly after his Arrival at Congress, of many Purchases of Indian Lands, Shares in most or all of which were offered to this Deponent, & Constantly refused by him because of the Enormity in the Extent to which the Bounds of those Purchases were Carry'd Another Reason for this Refusal was, that Disputes had arisen on the Subject of these Purchases, & this Deponent, being a Member of both Congress & Convention, conceived it improper for him to be concerned as a Party in any of these Partnerships; on which it was probable he might decide as a Judge. The Deponent says he was further fixed in his Determination not to be concern'd in any Indian Purchase whatever on the Prospect of the Present War, by which the Sovereignty & Right of Disposal in the Soil of America would probably be Claimed by the American States. After Conversing with the s^d W^m Byrd & Communicating his Sentiments freely on the Subject, the Deponent saith that the Scheme drop^t, nor did it proceed further than is above related. The Deponent further says that M^r Henderson & his Partners very soon after their Supposed Purchase joined in a Letter to this Deponent; in which was Contained as this Deponent thinks, a Distant though plain Hint, that he the Deponent might be a Partner with them. The Deponent also says he rec^d a great Number of Messages from Mess^{rs} Henderson &c. inviting him to be a Partner: That M^r Henderson in his own Person & M^r Allen Jones (a Partner in the Purchase) both apply'd to the Deponent to join them in their Scheme but the Deponent uniformly refused & plainly Declared his Strongest Disapprobation of their whole proceedings, giving as his Reason that the People of Virginia had a right to the back Country, derived from their Charter & the Blood & Treasure they Expended on that account. The Deponent says that he is not now nor ever has been Concern'd directly or Indirectly in any Indian Purchase of Lands & that he knoweth nothing of M^r Hendersons Contract.

The Deponent being asked whether Application to the Legislature or the Crown was made for leave to Purchase Lands of the Cherokees by the s^b W^m Byrd or any other Person in the matter aforesaid- He answereth that no such Application was made that he knows of

that the only proposal to the Indians was, to know if they would treat on the Subject & Further saith not-¹⁹⁸

PATRICK HENRY

Williamsburg S^c

Sworn to before

Jno: Prentis

R: Kellon

June 4th, 1777.

(*From Journal of the House of Delegates.*)

Monday June 2, 1777.

The Speaker laid before the House a letter from the Governor enclosing a state of the military stores belonging to this Commonwealth.

Ordered, That the said letter and state do lie on the table.

Ordered, That a message be sent to the Governor and Council, desiring they would inform this House whether Philip Love¹⁹⁹ and William Grayson Esquires, resigned their appointments as colonels of two of the battalions of this Commonwealth, or refused to accept the same.

Tuesday June 3.

Resolved, That the Governor, with the advice of the Privy Council, be empowered to employ proper persons to purchase, on account of the public, and at a generous price, all the salt that may be imported into this country in the course of the next twelve months, and that he be authorised to issue his warrant on the treasurer to pay for the same; that such salt when purchased, be immediately stored in some convenient and secure parts of the country, and distributed, by order of the Governor, with advice of the Council, amongst the inhabitants of the different counties, in such proportions as their exigencies may require and that the quantity procured may admit regard being principally had to such counties as are farthest removed from salt water, and that the receivers of the salt to pay into the hands of such persons as may be appointed for that purpose, at the time of the delivery, so much per bushel as the Governor, with the advice of the Council, may judge reasonable, the money when received, to be paid with all convenient despatch into the treasury, for reimbursing the public.

Wednesday, June 4.

That the Governor and Privy Council be desired to lay before this House an estimate of the probable expense of the army the ensuing year.

¹⁹⁸For depositions of Arthur Campbell, Abraham Hite, Nathaniel Henderson, James Douglas and John Floyd, see Virginia "Calendar of State Papers", Vol. I, p. 303 *et seq.*

¹⁹⁹Philip Love, brigade major Virginia Militia, 1777.

Thursday June 5.

Mr. Lee reported to the House, that the committee appointed, had, according to order, waited on the Governor, and notified to him his appointment, and that he was pleased to return the following answer:

GENTLEMEN,- The signal honour conferred on me by the General Assembly, in their choice of me to be Governor of this Commonwealth, demands my best acknowledgements, which I beg the favor of you to convey to them in the most acceptable manner.

I shall execute the duties of that high station, to which I am again called by the favor of my fellow citizens, according to the best of my abilities, and I shall rely upon the candor and wisdom of the Assembly to excuse and supply my defects. The good of the Commonwealth shall be the only object of my pursuit, and I shall measure my happiness according to the success which shall attend my endeavors to establish the public liberty. I beg to be presented to the Assembly, and that they and you will be assured that I am, with every sentiment of the highest regard, their and your most obedient and very humble servant

P. HENRY.

Monday June 9.

Resolved, That the Governor with the advice of the Council, be desired to fill up the vacancies of field and other officers which are or may happen to in the three battalions belonging to this Commonwealth; the field officers and captains to be preferred according to seniority in the whole line, the subalterns in the particular battalions to which they belong.

[Agreed to by the Senate on June 11]

Tuesday, June 10.

Resolved, That the Governor be empowered, with the advice of the Privy Council, to suffer the persons who have agreed to take their passage to Great Britain, in the ship Albion, now in the hands of the enemy, to go on board any other vessel, or either of the British ships of war in the bay, as shall be most convenient to them and proceed on their voyage, with their necessary provisions and stores, under the same regulations on which they were to have embarked on board the ship Albion.

The Speaker laid before the House a letter from the Governor, enclosing an estimate of the probable expenses of the army for the ensuing year.

Resolved, That his Excellency the Governor and the Privy Council be desired to have the accounts of the money due from the continent to this Commonwealth settled by the commissioners appointed by Congress for that purpose, and transmit the same to our delegates in Congress, who are hereby instructed to procure the payment thereof.

The Speaker laid before the House a letter from the Governor, enclosing one from Lieut. Col. Thomas Blackburn, resigning his said office.

(From Va. State Archives, Ex. Com.)

In Council, June 10th, 1777.

Sir

By an order of the House of Delegates of the 4th Inst. the Governor and Privy Council were desired to lay before the House an Estimate of the probable Expence of the army the ensuing year. I have now the honor to send it herewith. It may be observed the Calculation is made upon one Regiment, and it will be increased according to the Number taken into pay. The Board of Council cannot give a satisfactory Estimate of the Expence of the Hospital Business because the number of Troops is not yet known & because the prices of almost every necessary, are so very fluctuating. I have therefore annexed a List of Articles containing general Heads of Expences, I am

Sir

Your mo. obed^t Serv^t

P. HENRY.

The Hon^{ble}

George Wythe esq^r

Speaker of the Hon^{ble} House of Delegates.

(From Journal of the Council.)

Tuesday June 10th 1777

The Board of War having by Order of Congress sent to Dumfries in this Commonwealth four Hessian Field Officers as Prisoners of war to be there closely confined, and the County Lieutenant of Prince William having by Direction of the Committee of that County ordered thirty six men of the Militia into service as a Guard upon the said Prisoners, which Number he has since reduced, this Board do approve of the Conduct of the County Lieutenant in this matter from the necessity of such a measure although he cou'd derive no authority from the proceedings of the said Committee. And his Excellency the Governor is advised to direct the County Lieutenant aforesaid to keep such a Guard over the Prisoners as he may judge necessary and grant his Warrants on the Continental Paymaster for the amount of such pay rolls as the said County Lieutenant may from Time to Time certify to be just.

(From Va. State Archives, Ex. Com.)

In Council June 11th 1777.

Sir,

The Expence of the Guards kept over Goodrich²⁰⁰ and McCan, at Charlottesville, is great; and in order to avoid it in future the Council Board are inclined to send them to Stauntown in Augusta and to give orders that they do remain at that place without a Guard: at the same Time requiring that in Case of their Misbehaviour they be committed to close

²⁰⁰For the inimical activities of the three Goodriches, John Sr., John Jr., and Bartlett, see V. H. M., Vol. XV, pp. 160-65. Deposition in regard to John Goodrich, XVIII, p. 400.

Goal and orders may be given that in Case of an Escape they be immediately pursued & probably they may be apprehended before they can reach the lower Country. But in as much as one of these people was thought a very dangerous Person some time ago, and it was judged necessary to secure him under a Guard, the Board of Council, do not chuse to alter his Situation without the opinion of the Assembly. Will you be pleased, Sir, to favor me with their Sentiments on this Subject- I have the Honor to be

Sir,

Your mo^d Obed^t Servant,

P. HENRY.

The Hon^{bl}°

George Wythe Esq^r Speaker of the
Hon^{bl}° House of Delegates.

(From Journal of the Council.)

Wednesday June 11th 1777

The Board taking into Consideration the heavy Expence the keeping Guard over John Goodrich and Andrew McCann two Tory prisoners at Charlottesville in the County of Albemarle, are of Opinion that the same might be well saved if the said Prisoners were sent to Staunton in Augusta County on their Parol to confine themselves within the Limits of that Town, & to be of good Behaviour; but for as much as the Case of the said Goodrich has been frequently under Consideration of the late Convention the Board were unwilling to determine on this Measure without consulting the General Assembly now sitting; and they accordingly advised his Excellency the Governor to write a Letter to the Speaker of the House of Delegates on that Subject.

(From Va. State Archives, Ex. Com.)

June 12th 1777

Sir.

The inclosed Letter from M^r Blackburn, I have thought it necessary to communicate to the general Assembly, which I beg the Favor of you to do. With great Regard I have the Honor to be

Sir,

Y^r mo. ob^t & very
hble Serv^t

P. HENRY.

The honble

George Wythe Esq^r
Speaker of the House of Delegates.

[Endorsed:] Governor's Letter June 12 1777 Inclosing Col^o Blackburns resignation.

[“An Express arrived in town last night from General Washington to his Excellency the Governor informing him that on Saturday the 14th ult. a fleet of 100 transports sailed from New York, whether they had troops on board, or where they were bound the General was not

informed, but recommends to the Governor to have the militia put on the best footing, that we may be ready to receive them."- *Virginia Gazette*, June 13, 1777]

(*From Va. State Archives, Ex. Com.*)

June 13th 1777

Sir,

The inclosed Letter from Gen^l Washington, containing some Matters of an interesting Nature, I have judged it necessary to lay before the general Assembly without Loss of Time. This, I intreat the Favor of you to do, & to be assured that I am

Sir

Y^r mo. obed^t & very
hble Serv^t

P. HENRY.

The honble George Wythe Esq^r,

Speaker of the House of Delegates

[Endorsed:] Ref^d to Com: on State of the Commonwealth

(*From Journal of the Council.*)

Saturday June 14th 1777

Upon considering M^r James Callaways Letter of the eleventh Ult. setting forth that the allowance made him as Manager of the Lead Mines is by no means adequate to the Service, and proposing to continue to manage the working of the said mines for one hundred and fifty Pounds per annum and all expenses paid; The Board being well satisfied with M^r Calloways former conduct in that Business do accept his Proposals and order accordingly and his Excellency is requested to write to M^r Callaway acquainting him thereof.

(*Journal of the House of Delegates.*)

Monday, June 16.

The Speaker laid before the House a letter from the Governor, enclosing a state of the public trade.

[A letter of Governor Henry of the 18th June 1777 must have touched on provisions shipped from Virginia, for, in the "Journals of the Continental Congress," Vol. VIII, p. 515, occurs the following:]

The Committee on the Treasury reported, that they have taken into consideration the letters referred to them, from Governor Henry, of Virginia, Mr. Aylett,²⁰¹ deputy commissary general, and Mr. Finnie, deputy quarter master general, and an account of provisions purchased in Virginia, for the use of the United States; and find, that besides twenty cargoes of flour, amounting to 10,282 barrels, shipped from different parts in Virginia, on continental account, by order of

²⁰¹For miscellaneous correspondence of William Aylett, see *Tyler's Quarterly*, Vol I.

the commissary general, there remains stored in different places of that commonwealth 10,676 barrels of flour, 1,100 barrels of pork, and 5,790 barrels of Indian corn, which, exclusive of several cargoes and expenditures not accounted for, amount to £48,107 9 3½, of which Mr. Aylett has received £23,727 2 8, and he claims a balance in his favour of £24,383 6 7½; that this state of his accounts is collected from a rough estimate transmitted by Mr. Aylett, unattended by proofs or vouchers, that they cannot but express their apprehensions that the flour and corn which remain stored in Virginia, are in great danger of perishing, and being lost to the public from the heat of the weather, and the difficulty of transportation, unless some effectual means should be speedily adopted for their preservation,

Resolved, That the accounts of provisions shipped from and stored in Virginia, for the use of the United States, be referred to the Board of War, in order

That the proper enquiry be made into the state of these provisions, and the most effectual means be adopted to prevent their perishing, or being lost to the public:

That a warrant be drawn by the president on Benjamin Harrison Esq^r deputy pay master general, in Virginia, in favour of Mr. Aylett, deputy commissary general in the southern department, for the sum of sixty thousand dollars, on account of his present demands, and that Mr. Aylett be informed by the Treasury Board, that agreeable to the late regulations of the commissary general's department, no money can be furnished in future for the use of his department, but through the commissary general of purchases, to whom he must apply.

The Board of Treasury further reported, That William Finnie, Esq^r deputy quarter master general in the southern department, should have leave, agreeable to his request, to repair to Philadelphia in order to settle his accounts with the Commissioners of accounts holding their office at the treasury under the direction of the Board of Treasury.

GOV. HENRY TO THE VIRGINIA DELEGATES IN CONGRESS.²⁰²

(*From W. W. Henry's "Henry," III, 83.*)

Wmsburgh June 20, 1777.

Gentlemen: I beg leave to observe to you, that in case that part of Col^o Harrison's²⁰³ Regiment which is now enlisted is ordered from this State, Portsmouth must be abandoned, and the Continental Frigates there building be probably lost. One full Battalion of Troops of this State are under orders to march to Jersey, & this makes it absolutely necessary that our Batterys be manned by Col^o Harrison's Artillerymen. If Congress will consent to our keeping that Regm^t, consisting

²⁰²In the "Journals of the Continental Congress", Vol. VIII, p. 501, it is stated that a letter of the 18th from Governor Henry to the delegates of Virginia was laid before Congress and read on June 27.

²⁰³Cap. Charles Harrison was appointed colonel of the 1st Continental Artillery, 1st January, 1777. He retired from the service in 1783. (Died 1794.)

at present of scarce 300 men, it will be necessary to direct that the officers observe the Orders of the Executive here.

I must entreat to hear from Congress on this subject soon as possible, & am with great regard,

Gents,

Y^r Mo. ob^t h^{ble} ser^t,

P. HENRY, Jr.

To the Virginia Delegates in Congress

GOV. HENRY TO GEORGE WYTHE, SPEAKER OF THE HOUSE
OF DELEGATES.

(From Va. State Archives, Ex. Com.)

June 20th, 1777.

Sir.

The inclosed papers contain some Information which I beg you will be pleased to communicate to the general Assembly. With the greatest Regard I have the Honor to be

Sir

Y^r mo. ob^t & very
hble Serv^t

P. HENRY.

The Honble

George Wythe Esq^r

Speaker of the House of Delegates

[Endorsed:] A letter from the Governor inclosing one from Col. Wilson

(From Journal of the House of Delegates.)

Saturday June 21.

Resolved, That it is of great consequence to this State to secure the salt springs in the county of Kentucky, and therefore that the Governor and Council be requested to embody as many of the militia of the counties of Washington, Montgomery, Henry, Pittsylvania, Bedford and Augusta, as will make up the number of three hundred men, including officers, be commanded by the county lieutenant, or commanding officer of Kentucky county, and to be by him stationed in such parts of the county as he shall think necessary to prevent the incursions of the enemy.

JOHN PAGE, LIEUTENANT-GOVERNOR, TO THE SPEAKER
OF THE HOUSE OF DELEGATES.

(Virginia State Archives, Executive Papers.)

In Council June 23^d 1777.

Sir,

The Governor and Council in the Beginning of the present Session submitted to the Assembly the propriety of passing a Law or some Resolution to enable them to turn over the men enlisted by such recruiting

officers as have resigned or been discontinued for want of having compleated their Quota, to such officers as have come the nearest to a Completion of their Quota, the present Law requiring that they shall be turned over to the Officer appointed to succeed. This Alteration the Board thought before was proper, in Point of Justice, but they find now it is become absolutely necessary for forming a compleat Battalion to join Gen^l Washington, agreeable to Resolution of Assembly; it being impracticable to select the necessary officers with their full Quotas; & several must be sent with large Deficiencies.

I have the Honor to be with great Respect
Sir

Y^r mo. ob^t hble Serv^t

JOHN PAGE

The Honble George Wythe Esq^r

Speaker of the House of Delegates.

[Endorsed:] Honble John Page Esq^r Letter June 23^d 1777 Respecting State Battalion to be marched to the Northward.

(From Journal of the House of Delegates.)

Tuesday, June 24.

Resolved, That the Governor and Privy Council be desired to settle the priority of rank among the captains and subalterns in the three battalions belonging to this Commonwealth, so as to give precedence to those officers formerly in the marine service according to the dates of their respective commissions in that service, then to the officers who were in the minute service in like manner, and to all others according to the time of their having completed their respective proportions.

Wednesday, June 25.

A Message from the Senate by Mr. Henry Lee:

Mr. Speaker,— The Senate have agreed to the resolution of this House, empowering the Governor and Council to contract with Mr. James Hunter for arms for the use of the public.

Thursday, June 26.

Resolved, That the Governor, with the advice of the Privy Council, for the more speedily making up the battalions heretofore ordered by this Assembly to join Gen. Washington's army, be authorised to turn over the men enlisted by such officers as have been discontinued, or enlisted the fewest men, to such officers as have come the nearest completing their respective quotas, preferring such recruits as have enlisted for three years.

[Agreed to by the Senate the same day.]

Friday June 27.

Resolved, That the Governor, with the advice of the Privy Council, be authorised to adopt, for the care of the sick soldiers of this Common-

wealth, as far as circumstances and situation admit and render necessary, the continental arrangement for the military medical department, and that the rank and pay of the director, surgeons, and other persons employed in the hospitals of this State, be the same as those of the deputy directors, surgeons, and others employed in the service of the continent.

Resolved, That the Governor and Privy Council be empowered to contract with any person within this Commonwealth, for good muskets, with steel and iron ramrods, bayonets and sheaths, upon the same terms as they are authorized to do with Mr. James Hunter by a resolution of this General Assembly, provided they be of equal quality.

The Speaker laid before the House, a letter of Thomas Nelson, Esq, declining to accept the office of a Privy Counsellor.

[The next day Thomas Adams was elected in his room.

The Assembly adjourned on July 28 to meet on the third Monday in October.]

GOV. PATRICK HENRY TO GEN. EDWARD HAND.

(*From Thwaites & Kellogg, "Frontier Defense on the Upper Ohio,"* p. 16.)

Williamsburg July 3'd 1777.

Sir

By the constitution of this Commonwealth no Militia can be embody'd but by orders from the Executive Power, except in Case of Invasion or Insurrection; and when embody'd such Militia is under the sole Direction of the Governour. I do not make this observation with any View to counteract you, very far otherwise. I shall be made happy in forwarding your Designs to protect and secure the Frontiers from those dangerous Incursions by means of which our People suffer so much, and so great Diversion is made of our best Men from the main Object. But I am constrained by my Duty, by the Oath of my Office, to claim the supreme command of all the Militia which are or may be embody'd in the State. Altho' I do this on the present Occasion, and shall certainly do the like on every similar one, yet I beg leave to assure you, Sir, that I shall most gladly contribute all in my Power to render effectual every Plan calculated to promote the general Good; and I do hereby empower you to call for the number of Men necessary for defending the Frontiers from the County of Yohogany, Monongalia, Ohio, Hampshire, Botetourt, Augusta, Dunmore and Frederick until further Orders.

The Resolution of Congress respecting the Lead, never came to hand, 'til yesterday. Orders will be sent for its Delivery without loss of Time. Several Tons were long since ordered for the militia in your Parts. The Resolution for the artillery going to Fort Pitt, is not yet received.

Col^o Aylett, who lives in this Town, is appointed Commissary to supply the Western Garrisons with Provisions. His Appointment came by my Hands from the War-office yesterday, and is communicated to him. I doubt some time will pass before M^r Aylett can take the necessary Steps for furnishing Provisions, and in the mean Time M^r Morgan perhaps can supply them. There seems no other chance to get them.

You will please to direct the Militia already embody'd to continue in Service so long as you think there is occasion for them, and make such other necessary Draughts from the above Counties as Exigencies may require, giving me notice thereof from Time to Time, and of the reasons that induce you to make them.

The chastising of Pluggy's Town seems to me absolutely necessary, but is submitted to you, as being better enabled to judge on the Spot.

I have the Honor to be Sir Y^r mo. ob^t & very hble serv^t

P. HENRY.

To Brigadier General Edward Hand at Pittsburgh

GOV. HENRY TO COL. DAVID SHEPHERD.

(From Thwaites & Kellogg, "*Frontier Defense on Upper Ohio*," p. 18.)
Sir

You are hereby required to raise so many of the Militia of your County as General Hand may demand for the Protection of the Frontiers of this State.

I am Sir Your mo. Hble Serv^t

P. HENRY.

W^msburgh July 3. 1777.

County Lieutenant of Ohio

GOVERNOR HENRY TO JOHN HANCOCK, PRESIDENT OF CONGRESS.²⁰⁴

(From W. W. Henry's "*Henry*," III, 84.)

Wmsburgh July 8, 1777.

Sir: The first Battalion of Troops of this State are on their March to join General Washington, agreeable to a Resolution of the General Assembly. The Troops will I doubt not be under a necessity of Inoculation for the Small pox. This will delay their progress and occasion expense. As the battalion is ordered into the Continental Service, it is not doubted but that the Continent will defray every expense necessarily incurred thereby. I have therefore directed Colo Gibson, who commands the Battalion to draw on the Continental Treasury for the necessary sums of money on his march. I have also to request, Sir, that orders may issue for the pay of this corps on the Continental Account. With great Regard I have the Honor to be,

Sir,

Y^r Mo. obt. & very
h'ble ser^t,

P. HENRY.

To the President of Congress

²⁰⁴This letter is not mentioned in the Journal of Congress until July 31. It was then referred to the Board of War.

In the "Journals of the Continental Congress", Vol. XIII, p. 570, under the session of July 22 it is stated that a letter of the 11th from Governor Henry was read.

Ordered that the letter from Governor Henry be referred to the Board of Treasury and that Colonel W. Finnie, lay his accounts before the said Board, who are to proceed to the liquidation and settlement of the said accounts.

GOV. HENRY TO GOV. CASWELL, OF NORTH CAROLINA.

(From "State Records of North Carolina," Vol. XI, p. 516.)

Wmsburgh, July 9th, 1777.

Sir:-

I beg leave to mention the case of Mr. Delaporte, a French Gentleman, to your Excellency. He was given to understand that several Frenchmen might be recruited in your State, and set out from hence on that business. I am sorry to hear he is so unlucky as to get into a quarrel, the consequences of which I hear are serious. I shall esteem it a favour if you'll please to take notice of him, and render him every proper assistance.

With great regard, I have the honor to be, Sir,
Your most ob'd. servant,

P. HENRY.

His Excellency Richard Caswell.

GOV. HENRY TO THE AGENT OF BENJAMIN HARRISON.

(From W. W. Henry's "Henry," III, 84.)

Wmsburgh July 15th 1777.

Sir: Our general Assembly have directed a new Edition of the Laws to be forthwith printed, but I fear it can not be done without providing other Types than what are here. I understand Dr. Franklin left several sorts & sizes of Types with you, & that they are just fit for our purpose. I have to beg the Favor of you sir, to spare them for the above purpose, as I know not where to get others at present. The money shall be paid for them, the Types return'd, or others imported to replace them as soon as it can be done. Which of these methods you chuse, if communicated to me, shall be chearfully comply'd with by

Sir,

y^r mo. h'ble Serv^t

P. HENRY.

To the Agent of Benjamin Harrison

(From *Minutes of Navy Board.*)

Friday 25th July 1777.

Order received from his Excellency the Governor desiring the Board to furnish M^r Henry P. Hewitt with a Boat for the use of the Salt Works in Isle of Wight County was received and ordered to be filed

Saturday 26th July 1777.

Cap^t Celey Saunders of the Lewis Galley received Orders to proceed with his Vessel from his present station to East River there have her cleaned and put in proper order, from thence to proceed to Mobjack Bay and there to cruize in Company with Capt. Tompkins of the Henry Galley observing to take particular care of his own Vessel and to annoy and Distress the Enemy all in his power.

GOV. HENRY TO GEN. EDWARD HAND.

(From Thwaites & Kellogg, "*Frontier Defense on the Upper Ohio*," p. 30.)

W^msburgh July 27th 1777

Sir

I have this Day rec^d your Despatches by M^r Kelly. I was favor'd with yours a copy of which you transmitted by this Express. Col^o Croghan²⁰⁵ was here & about to go up. By him I wrote you an answer & together with that sent Letters to the Lieutenants of sundry Countys most convenient directing them to furnish from Time to Time, Such Requisitions of men as you may think the safety of our Frontier, will make it necessary for you to call for. In the Letter to you, I observed that by the Constitution of Virginia, none but the Governor with the Advice of Council had a Right to embody the Militia; & that when embodied, the sole Direction of them is given to the Governor. And I beg Leave here again to repeat, that I do not claim this Power with any Intention to retard your Views, but I shall on every Occasion think myself happy to forward them & give you every possible Aid & Furtherance. Least any of the Letters sent by Col^o Croghan should miscarry I herewith send others to the Coty Lieutenants in the N^o West, desiring their Co-operation with you.

I am very sorry for the Mischief done by the Indians. I was ever of opinion, that the severest Vengeance should be taken on Pluggy's People. The Terror of their Fate, may serve as a usefull Lesson to the neighbouring Tribes. Savages must be managed by working on their Fears. No doubt but much address will be necessary in keeping the other Indians quiet & unoffended. I pretend not to point out the proper means to effect this, & rely on your Skill & Ability to do it.

Accounts from Kentucki tell me of the most distressing & deplorable condition of the surviving Inhabitants in that Quarter. Your Movements I trust will prove the best Defence to them. Two hundred men are ordered to their Assistance. But it seems to me, that offensive operations can alone produce Defence ag^t Indians.

Are not the Six Nations wavering? perhaps the progress of the Enemy about Lake George may incline them against us.

With Respect to any particular Orders respecting the Draft or march of any of the Militia, I cannot give them. I must submit the whole Matter to you Sir, & I have Confidence that whilst you exert yourself in defending the Frontier & chastising the Enemy, you will not forget the Domestic concerns of the people composing the Militia. Indeed they will do well to consider, that the Enemy stands between them, & that State of Safety & Repose which I hope awaits them.

I'm very sorry to find the recruiting Business goes on so slowly. I shall write Colo Campbell on the Subject. The Beef & Flour you will want for y^r Expedition, no Doubt will be considerable. But I can't

²⁰⁵Colonel George Croghan, Indian agent for the Colony of Pennsylvania, had come from Ireland and settled on the Juniata River, above Harrisburg. He learned the language of the Indians and was trading with them as early as 1746. In 1754 he was employed as interpreter by Governor Dinwiddie of Virginia.

p[r]event the Sale to the Drovers you Speak of. The Lead you spoke of I ordered. The Relief for Fort Henry will be ordred by you. I have to desire you will favor me with an Acco^t of the State of the Frontier as occasions happen, & of every Draught of the Militia & the Reason & Design of making it as soon as possible, the great Distance making it impossible to wait for Orders from hence. The Disposition of Cap^t Arbuckles men I submit to you.

You will now find Sir The Choice of Militia given you over a great Extent of Country, from which may be drawn the most formidable men in the State. I confide the dearest Interests of these people to your Conduct. Pardon me Sir, for observing the Magnitude of the Trust, which (tho' I have not the pleasure of a personal Acquaintance with you) I doubt not will be so managed as to redound to your Honor & the Happiness of the Frontiers. I need not mention that you will take the men from such Countys whose Situation & Circumstances will best enable them to Spare the proper Soldiers for the Service. I am Sir y^r mo. ob^t hble Serv.

P. HENRY.

P. S. Culpepper County has furnished so many men I Should be glad you'd Spare them if possible

P. H.

Brigadier General Edward Hand, Pittsburgh

(From "Journals of the Continental Congress," Vol. VIII, p. 586.)

July 30

The governor of Virginia having represented that Robert Smith and Alexander Telfair, two of the gentlemen appointed to audit and settle the accounts of Virginia against the United States, have declined acting:

Resolved, That Whitmill Hill and Eaton Haynes, esqrs. be appointed in their room, and that they, and Wylie Jones, Esq^r or any two of them, be empowered to act.

[Follows a report]

GOV. HENRY TO THE VIRGINIA DELEGATES IN
CONGRESS.²⁰⁶

(From "Pennsylvania Archives," Second Series, III, 116²⁰⁷.)

W^msburg Aug^t 8th 1777

Gentlemen: I take the Liberty to lay before Congress a subject which bears no similitude to the various matters that have hitherto made up my correspondence with them. It is of such a nature that I cannot be persuaded to pass it over. The Council unanimously advise me to represent it in the following Terms:

²⁰⁶This letter was read in Congress on August 18 and ordered referred to Board of War.

²⁰⁷W. W. Henry in his "Henry" presents a text with many variants from the one given above.

On the fourth inst I rec^d from Lieuten^t Col: Carrington²⁰⁸ the Letter which is sent herewith desiring me not to appoint any of Col. Harrison's Corps officers in the Virg^a artillery. I could not help considering this as a very officious intermeddling, because he did not command the Regiment, and because he thereby tells me, not what I ought to do, but what I ought not to do. Add to this the Congress, the general assembly, & the Executive here have constantly proceeded on a different principle, but more especially in the formation of that Regiment, the Congress and Executive called into it a great variety of Officers from other Corps. It is observable that almost all the artillery officers & soldiers which served this State were thrown into that Regiment, among whom the Gentleman himself made one. For these & a variety of other considerations, I sent his Letter to me inclosed in a blank paper directed to him. A few days before that, having understood the Regim^t were very badly armed, & in extreme Want of necessaries, I desired Col^l Harrison to give me a state of it with a Roll specifying the Deficiencies. He very politely attended from Portsmouth with an acc^t of what was wanted for the main Body at that place. The next day Col^l Carrington inclosed his former Letter with my cover to me in a blank paper. He sent at same time three other loose papers without cover, Direction or signature other than what you'll perceive, for I send them to you. By these it is apparent the men suffer extremely, & his officious & affrontive Interposition is equally evident.

After M^r Ancram, a Lieu^t in that Corps was appointed a Captain in the Regiment ordered by our assembly, he informed me that Col^l Carrington peremptorily ordered him to his station at York, at the same Time he asked me for my protection. I promised it to him, & have too much Reason to apprehend from Mr. Carrington's former expressions of Discontent and Dislike to the proceedings of our Assembly, & from the above recited particulars, there will be occasion for it. By his Letter, it appears he is restrained from leaving his post, altho it is not pretended that there is the least Danger there, & it is certain there is not a due proportion of men to the officers by one-half, or a near it.

I must now Gentlemen, take the Liberty of making a few observations with that unreserve which the nature of the Case constrains me to use, and which nothing else could have extorted from me.

Col^l Harrison's Regiment was not one of those which were to compose the Quota of this Country. It was resolved to be raised by Congress in this State, & several appointments made in Conformity, & never signify'd to the Assembly or to me, except by sending the Resolution, & that not directed to either. However, this measure was acceded to & by so doing our artillery were given up, nor was this done with Reluctance. But if our Officers in this, or any other manner, becoming Continental, may, with impunity, forget that respect which is due their Country, I must beg you will Judge of the consequences.

Virginia has, it is true, like most or all of the Confederated States, been deficient in the numbers of Troops she was to furnish for the

²⁰⁸Edward Carrington, Lt.-col. 1st Cont. Artillery, retired Jan. 1st, 1783, and served as deputy quartermaster general of the Southern Department to the close of the war.

general Defence. In order to make it good, Troops raised for our particular service have more than once been spared. But will not these be retained in future if those of the continent do not behave in a becoming manner. In short, will not. 'Tis too painfull for Reflection. The evils flowing from Discord are so many and obvious that I need not dwell on the subject.

Congress have lately desired me, with the advice of Council, to draw Warrants on the Continental Treasury here, in the absence of a general officer, for forwarding that service. It has been done. Is it not necessary, every other consideration apart, that the lower officers should at least be respectful, if not obedient?

I have to request, Gentlemen, that you will lay this matter before Congress without loss of time²⁰⁹ For altho' I believe Mr Ancram & two non-commissioned officers are all that have been promoted from Col^l Harrison's Regiment & the recruiting business stop as to them only,

²⁰⁹On August 19 the following action is found in the Journal of Congress: The Board of War brought in a report, which was taken into consideration; Whereupon,

Congress taking into consideration the letter from Governor Henry, of Virginia, to the delegates of that state, in Congress, (representing the behaviour of Lieutenant Colonel Carrington, of Colonel Harrison's corps of artillery),

Resolved, That any officer now in Colonel Harrison's regiment of artillery, shall have liberty to leave the said regiment on being appointed to any office or command in the corps of artillery raising, or to be raised in Virginia, by the said State, and that the said Colonel Harrison's regiment be under the direction of his excellency Governor Henry, during the time of its stay in that State.

Resolved, That the behaviour of Lieutenant Colonel Carrington towards Governor Henry, as set forth in the governor's letter of the 8th instant to the delegates of Virginia, is highly indecent and reprehensible, and that unless the said Lieutenant-Colonel Carrington in the space of five days after being notified of this resolution make such concessions to the Governor as he and the council of the said State shall approve of, Colonel Carrington be dismissed from the service of the United States."

In the margin is written "Not to be printed. See May, 1778."

Resolved, That this Congress will, on all occasions, discountenance and punish any indecent behaviour of any officer or officers in the continental service, towards the civil authority of the several states.

A letter from Lieut. Col. Carrington, dated Aug. 13, was read in Congress on August 26. The original MS. is in the Library of Congress.

On May 23, 1778, appears the following:

A motion being made, that the resolution of August, 1777, relative to Lieutenant Colonel Carrington be expunged from the journals, an amendment was moved in lieu thereof, as follows:

"Whereas Congress are fully satisfied that Lieutenant Colonel Carrington, from a sense of the impropriety of his conduct to his excellency Patrick Henry Esqr. Governor of Virginia, had, before he knew of any resolution having been past by Congress relative to him, made a suitable and satisfactory apology to Governor Henry,

Resolved, That Lieutenant Colonel Carrington stands in the opinion of Congress in as favourable a point of view as if the resolution of Congress, of the 19th August, 1777, had not been entered into which was agreed to."

yet I shall not be easy so long as the Insult which Government has received passes with impunity.

With the great Regard, I have the honor to be Gentⁿ

Y^r mo. ob^t and very h^ble Serv^t

P. HENRY

P. S. Since writing the above, another Letter from M^r Ancram is del'd shewing his Restraint & Treatment.

P. H.

(From Journal of the Council.)

At a Council held at the Capitol, in the City of Williamsburg, on Friday the 15 Day of August, 1777.

Present John Page Esquire, Lieutenant-Governor.

Dudley Digges

Bartholomew Dandridge &

John Blair

David Jameson

Esquires.

There being certain Intelligence of a large Fleet making its appearance on our Coast with Intentions, no Doubt, of invading this State, it is therefore thought necessary to give His Excellency the Governor, who is now in Hanover, and the absent Members of the Council immediate notice thereof, in order to their repairing to this Place, to consult on proper Measures to be taken to counteract the wicked Designs of the Enemy; And, in the meantime, the Board do advise the Lieutenant Governor to order two Companies of Militia, from each of the following Counties, forthwith to repair to Portsmouth there to do Duty till further Order, viz. Isle of Wight, Norfolk, Princess Anne, Nansemond and Southampton, and moreover to empower the commanding Officer, at that Station, to call from each of the said Counties such further supplies of their respective Militias, as he may think necessary for the Defence of that Garrison; And the Lieutenant Governor is also advised to give the same Powers to the Commanding officers at York, & Hampton Garrisons, to call for such parts of the adjacent Militias as they may think necessary for the Defence of said Garrisons.

Also to order two Companies of Gloucester Militia forthwith to repair to Gloster Town there to do Duty til further orders And, for the farther Protection of the lower parts of this Country, the Lieutenant Governor is advised to order two Companies of Militia from each of the following Counties forthwith to repair to this place properly equipped viz. Charles City, Prince George, Surry, New Kent & James City, Hanover, King William, Sussex, Dinwiddie & Chesterfield & four Companies from Brunswick; one from King & Queen & one from Caroline. And as Troops of horse may be particularly serviceable at this Junction, the Lieutenant Governor is advised to request the County Lieutenant of Caroline, to use his utmost endeavours to enlist one Troop, to consist of thirty two men at least, with proper Officers to serve as Volunteers during the present occasion and to direct them to march to this place as well equipped and as expeditiously as possible; Also to request the County Lieutenants of Brunswick, Dinwiddie & Chesterfield to enlist fifteen Troopers in their respective Counties & send them to this Place

without loss of time; and he is also advised to assure the said County Lieutenants that, the Troops so raised shall have the same pay, forage, & other allowances, as the Continental Troops of horse; and that if any of their Horses are killed, or lost in the Service a proper Satisfaction shall be made for them by the Public. And in order to put the Militia of this Commonwealth in general upon their guard-

The Lieutenant Governor is advised to issue his Proclamation strictly enjoining the several County Lieutenants, within the State to hold the Militia of their respective Counties, in readiness to march at a moments warning to this City, or such other place as may be hereafter directed- And as the Regiment lately ordered by the Assembly to join General Washington is still at Alexandria & Colchester under inoculation it is thought advisable to stop them from proceeding on their march till further orders- and the Lieutenant Governor is requested to give General Washington notice thereof- And as it may be of great consequence to the State of Maryland that they should have as early Intelligence, as possible, of the approach of the Enemy the Lieutenant Governor is advised to inform them thereof by Express. And he was pleased to write Letters in conformity to the foregoing advice of Council and send them off by Express.

The Lieutenant Governor is advised to Direct y^e Navy Board to Station an armed Galley at y^e Mouth of York river, in order to give y^e earliest Intelligence of y^e Motions of y^e Enemy.

The Lieutenant Governor is advised to Direct Colonel Turner Southall to arm the Militia, ordered from Chesterfield, in the best manner possible, out of the public Stock in the Magazine at Richmond, and to send the remainder of the good Arms forthwith to Williamsburg. The Lieutenant Governor accordingly wrote a Letter to Colonel Southall to that effect.

The Lieutenant Governor is advised to Order the Keeper of the Magazine forthwith to cause all the arms under his care which are unfit for use, to be immediately sorted & set apart for service; and to cause those which are out of Order to be repaired without Delay- and to deliver to Captain Quarles²¹⁰ fifty Stand of Arms and twenty five pounds of Buckshot for the use of York Garrison.

Also to direct the Armourer to employ every hand he has, or can procure, in repairing the public arms. And the Lieutenant Governor is also advised to give the Commanding Officer, of the Troops at this Station, Instructions to be particularly upon his Guard at this time, as a large Body of y^e Enemy is now so near us to keep a lookout at Burwell's ferry- a strict Guard over y^e public Magazines of Ammunition, Arms, & Stores, and the Treasury to Order a Captains Guard immediately to attend & assist y^e Keeper of y^e Magazine, & the Armourers in assisting & repairing the Arms & Accoutrements for Action- And to take charge of the Cannon now, in the Magazine yard, & have them furnished with y^e necessary Apparatus, & put under the particular Directions of such Officers & Men, of the Troops under his command, as he may judge most Capable of serving them to advantage.

²¹⁰James Quarles, captain 2d Virginia State Regiment.

JOHN PAGE, LIEUTENANT-GOVERNOR, TO
GEN. WASHINGTON.

(Washington Papers, Library of Congress.)

W^msburg in Council August 15th 1777

Sir,

I have this moment received undoubted Information, by Express from Captain Bright of the Northampton armed Brigg of this State lying off Cape Charles, that, last Night at 9 oClock, he saw from his Mast-head at least 100 Sail of Ships standing directly into the Capes- This Fleet was seen on Tuesday last by James Hervey Esq^r and several other Gentlemen of Accomack County on their Coasts An account of which they sent us by Express, which came to hand last Night. After giving you this Information Sir, the Board would submit it to your judgement whether the Regiment lately ordered by our Assembly to join you, & which is now under Inoculation at Alexandria ought not to return to this place as soon as it would be safe for them to march through the Country or at least remain where they are till the Designs of the Enemy can be more certainly known. presuming that your Excellency will approve of y^e latter the Board have given Directions that the Regiment shall not proceed on their march till further orders. I am with the greatest Respect & Esteem

Your Excellency's Mo. obed^t Serv^t

JOHN PAGE

[Addressed:]

On Public Service

To

His Excellency
General Washington
at

Headquarters

[Indorsed:]

John Page

[in another hand]

Hon^{bl} John Page
15 Aug^t 1777
Ans^d 12

LT.-GOV. JOHN PAGE TO GOV. CASWELL.

(From "State Records of N. C.," Vol. XI, p. 580.)

Wms'burg, August 16th 1777.

Sir,

The fleet which has been seen for some days past coasting along our Eastern shore, last night entered our Bay: it consists of upwards of 100 sail. We think it not only of immediate concern to this State to give you this information, but also of the greatest consequence to the United

States in general, as we hope to receive considerable assistance from you, having on a former occasion experienced the readiness with which North Carolina afforded it.²¹¹

I have the honor to be with great respect, Sir,

Your mo. obed^t Serv^t

JOHN PAGE.

(*From Journal of the Council.*)

Saturday August 16th 1777

The Lieutenant Governor is advised to give Orders to the County Lieutenants of the several counties situated on the Bay and the several Navigable Rivers and Creeks in this Commonwealth immediately to cause all Boats or other Vessels which may facilitate the escape of our internal Enemies or Slaves to the Enemy or may in any manner serve to supply the Enemy with Provisions immediately to be collected together at some secure place & put under a proper guard and to direct the several Officers of the Army & Navy of this State to assist in carrying this Measure effectually into execution & moreover to be particularly attentive to the Conduct of all such Persons in this City as by their refusing to take the oath of Allegiance & fidelity to this State or by other Means have rendered themselves suspected of being attached to the Enemy & to prevent all such persons from leaving the City & joining the Enemy's Fleet. And to direct the Commanding Officer, at this place to consult the Mayor on this Subject & lend him all the assistance he may require to preserve the internal Peace & Security of the City.

The Lieutenant Governor was advised to write a Letter to Governor Caswell informing him of the arrival of the Enemy's Fleet. And he accordingly wrote a Letter to that effect to Governor Caswell.

The Lieutenant Governor is advised to Direct the Commanding Officer of the Troops of this Commonwealth to have field carriages immediately made for the several 18 Pounders in and about this City and at Jamestown- Also to direct the Colonel of the City Militia to order fifty Men with their proper officers into immediate Service, to do Duty under the Commanding Officer at this Station all which the Lieutenant Governor directed accordingly.

The Lieutenant Governor is advised to issue his Warrant upon the Treasurer in favor of John Hawkins for two thousand pounds upon Account as Commissary of provisions. The Lieutenant Governor issued a Warrant accordingly.

The Lieutenant Governor is advised to give Directions to the Commanding Officer of the Troops of this State to cause the necessary Rolls for all the Troops now in Service, to be immediately made out & to apply to the Commissary of Stores for every necessary for Cloathing the said Troops in the best manner & to give proper Directions to the several Officers for retaining so much of the pay of the soldiers (not exceeding one half monthly) as may be sufficient to discharge what shall be due

²¹¹In response to this request Gov. Caswell gave orders that the first and second divisions of the militia be held in readiness to march on the shortest notice, and appointed a meeting of the Council at New Bern on Sept. 1. "State Records of North Carolina", Vol. XI, p. 585.

for such Cloaths. Also to Direct the Commanding Officer of the Troops at this Station to form a troop of horse and of such volunteers as will serve during the present Danger from the Enemy & find their own Horses & Arms, to consist of thirty Men or More with their proper Officers & to allow them the same pay rations & forage as is allowed to the Continental Troops of horse & to engage that if their Horses should be killed or lost in the service they shall be paid for by the Public.

All which is ordered accordingly.

The Lieutenant Governor is advised to write to Richard Adams, John Mayo, and William Cole Esquires to forbid the sale of all public provisions, which they were directed, some time ago, to sell, till further orders.

From the Information just now received that the Enemy have actually come within our Bay it is thought necessary and the Lieutenant Governor is accordingly advised, to order the following Companies of Militia forthwith to repair, properly equipped, to this City, viz. Two Companies, to consist of, at least fifty men each, from each of the following Counties to wit. Albemarle, Fluvanna, Amherst, Bedford, Charlotte, Cumberland, Powhatan, Goochland, Halifax, Henrico, Louisa, Mecklenburg, Orange, Prince Edward and Spotsylvania and three Companies from each of the Counties of Buckingham & Culpeper; four from Amelia and one from Lunenburg. And the Lieutenant Governor was pleased to dispatch Expresses with orders accordingly.

Monday August 18th 1777²¹²

It appearing to this Board that the State may be greatly injured by Persons residing here, who are unfriendly to the true Interest of the same, unless timely and effectual means are taken to prevent their giving intelligence, or any other assistance, to our Enemies, who now threaten to invade us with a very formidable force, therefore,

RESOLVED That the Governor be advised to give directions to the several Officers of the Army and Navy, and to the Militia Officers on actual Duty at any Post within this State, to cause all Persons who refuse to take the Oath prescribed by an Act of Assembly intituled 'An Act to oblige the free Male inhabitants of this State above a certain age to give assurance of Allegiance to the Same, and for other purposes.'²¹³ and all others who they shall have good cause to suspect have a design to do any thing unfriendly to the State, to remove them-selves at least ten miles from any Camp or Garrison where any Troops are stationed or from any Port or Place where the Enemy's Ships may be, & to apprehend and secure all the aforesaid Persons as may hereafter be found within such Limits giving Notice of their Proceedings herein to y^e next justice of the peace of the County and also to the Governor from time to time.

The Governor directs accordingly.

²¹²Gov. Henry after an absence of about two weeks was present at this meeting of the Council.

²¹³Hening, IX, 281.

Tuesday August 19th 1777.

The appearance of a formidable Fleet of the Enemies ships within the Bay of Chesapeake actually Invading this Country having made it necessary to call a large Body of the Militia of this State into immediate Service²¹⁴ & this Board taking into consideration the necessity of appointing a general officer not only to command them when they shall be embodied but to direct their march and make the necessary preparation for their reception at the different Posts to which they are or may be ordered and also to direct the necessary additional Works at our Several Fortifications and Garrisons, and for the more speedy and effectual putting this State in the best posture of Defence that our Circumstances will admit, do advise the Governor to appoint Colonel Thomas Nelson of York County to be Brigadier General & commander of all the Militia now embodied or to be embodied to defend this State against the present Invasion. The Governor was pleased to issue a Commission appointing Thomas Nelson Brigadier General accordingly.

The Board do moreover advise the Governor to empower General Nelson to appoint his own Secretary, Aid de Camp and Brigade Major if it shall be found necessary.

The same was ordered accordingly.

GOV. HENRY TO GOV. CASWELL OF NORTH CAROLINA.

(From the Morgan Collection, New York.)

W^msburgh Aug^t 26th 1777

Sir

Yours to the Lieuten^t Governor I have had the Pleasure to see this Day.

My Conjecture is, that the Enemy intend to form Lines of Communication from the Waters of Chesapeake, to those of Delaware. For this Purpose they will go to the Head of the Bay, & so attempt to Make a Conquest of that great Peninsula form'd by the Ocean & the Bay. At first view this looks as if all the People there would be in a Pound, & the Enemy will try to propagate this Notion-

But on Reflection it will be found Practicable to throw Troops on the Eastern Shore, & these may harrass the Rear, while Gen^l Washington will press the Front.

I am preparing to give some Succour to our two Countys there, whose Inhabitants suffer by Depredations on their Negroes Stocks &c &c.

Burgoyne, as it is natural to expect, made an Irruption into N York, & I doubt is ab^t Albany e'er now. This I think is meant to divert from the Main Object, which I take to be, Howe's pushing for Phil^a

From y^r Character Sir, & the gen^l Disposition of y^r State, I've no Doubt of your Exertion, & active Assistance if 'tis wanted. In case

²¹⁴Among the volunteers was a company composed of students of the College of William and Mary, under the command of the Rev. James Madison, president of the college.

the Enemy fail in the Chief Design, I expect a hostile Visit on their Return here.

Should this State be pressed I shall make bold to ask that Assistance that the Exigence may possibly require, from you.

You probably may not soon hear from me unless some new Incident arises. With great Esteem I have the Honor to be

Sir

Y^r Excellency's mo. ob^t
& very hble Serv^t

(public service)

P. HENRY.

His Excellency
Richard Caswell
Governor of
N^o Carolina

[Endorsed:]

Letter of the Gov^r
of Virg^a Aug^t 26. 1777
Fleet.-

GOV. HENRY TO JOHN HANCOCK, PRESIDENT OF
CONGRESS.

(From W. W. Henry's "*Henry*," III, 90.)

Wmsburgh Aug^t 30th 1777.

Sir: I was honor'd with yours covering the Resolutions of Congress for calling into service a number of Militia from different States. I have lost no time, but have instantly sent off expresses to the different Countys mentioned by Congress, ordering one Third of their Militia to rendezvous at Frederick-Town in Maryland.

I beg leave to give you, Sir, my congratulations on the success of our Arms in the North. Be pleased to accept my best respects, & to be assured of the high regard with which I have the honor to be,

Sir,

Y^r mo. obedient & very hble Servant,

P. HENRY.

the Honble John Hancock, Esq^r

GOV. HENRY TO RICHARD HENRY LEE.

(From W. W. Henry's "*Henry*," III, 89.)

Wmsburgh Aug 30th 1777.

Dear Sir: Many thanks are due to you for your agreeable Favor by post. The fleet went up the Bay long since, & before this you must have heard of their movements. I have not heard of the Troops landing. The whole affair is strange and unaccountable. Our Eastern Shore is alarmed, but not intimidated so much as expected, several Recusants having taken the oath on sight of the fleet. I have ordered some Reenforcements there, viz^t 2 Gallies, & 2 or 3 companys of Regu-

lars: & I do think it may be of essential service to throw a large number of men there, if the Enemy form lines from the waters of Elk to Delaware. Graham's draft is not forged. He was very useful to this State in furnishing necessaries on a liberal plan. I hope therefore he may meet with civility and receive his money.

Burgoyne's progress alarmed some, but I hope the N. England men will repel him. The affair of Tyconderoga was mortifying. Hurry obliges me to conclude, begging for all the Intelligence possible to be had at this critical and interesting period. Farewell, my dear sir,

I am affectionately yours,

P. HENRY.

Hon. R. H. Lee,
At the Congress.

GOV. HENRY TO GOV. JOHNSON OF MARYLAND.

(From *Maryland Historical Magazine*, V, 255.)

W^msburgh August 30th 1777

Sir

Your congratulation on our success was most welcome. You have mine most sincerely. I am happy to think that the disaffected, both on your eastern shore & ours, are not so numerous as the Enemy expected & I once feared. Some people, a considerable number, in Northampton, who had refused the Test, upon the Appearance of the Fleet, took it with Alacrity. The Enemy having landed in your State, will give you some Trouble, in which my most ardent wish is to give you Assistance. One third part of the Militia of Eight countys, is ordered to march to Frederick Town in Maryland, to act under Gen^l Washingtons Orders agreeable to a Resolution of Congress. I've ordered to the eastern shore two Galleys, two companys of Regulars, two field pieces a few Indians with Col^o Gist²¹⁵, & I must think, a considerable Force there might greatly distress the Enemys Rear, while the main Army shall press the Front.

Two small Battery's are nearly finished at Chengoteague²¹⁶ & Matompkin, where the Trade of this & your State may receive some Assistance. Is there any Method by which Virginia can annoy the Enemy & thereby assist you? I must beg you will please to give me the most early Intelligence of every Movement of theirs from Time to Time that so this Country may be on its Guard. With very great Regard I am

Sir Y^r mo. h^{bl}e Serv^t

P. HENRY

His Excellency Thomas Johnson
Governor of Maryland.

²¹⁵Nathaniel Gist, colonel additional Continental Regiment, 11th. January, 1777; taken prisoner at Charleston, May 12th., 1780; retired, 1st January, 1783.

²¹⁶Chincoteague.

(From Journal of the Council.)

Saturday August 30 1777.

Upon considering a Resolution of Congress of the 22^d Instant requesting this State to draw out one third part of the Militia of each of the following Counties, to be on Continental pay, viz. Prince William, Fairfax, Loudon, Berkeley, Frederick, Dunmore²¹⁷ Fauquier, and Culpeper, and march them to Frederick Town in Maryland; there to wait the orders of General Washington- The Board do advise the Governor to comply with the request of Congress, by directing the County Lieutenants of the aforesaid Countys, to order one third part of their respective Militias, officered as directed by law, & equipped in the best manner possible for action, forthwith to march to Frederick Town in Maryland- And the Board do moreover advise the Governor to countermand the Orders given by the Lieutenant Governor to the County Lieutenant of Culpepper for marching three Companies of his Militia to the City of Williamsburg.

All which is ordered accordingly by the Governor.

Monday September 1st 1777.

The Governor is advised to issue his orders to the several County Lieutenants situate on the Bay and Navigable Rivers & Creeks in this Commonwealth to permit the Inhabitants of their respective Counties to have their Boats and Canoes returned to them for the present; And to require the said County Lieutenants again to execute the former Orders of this Board respecting such Boats & Canoes when in their Opinion, or from the approach of the Enemys Fleet hereafter, they may judge it necessary & proper so to do. The Governor orders accordingly.

The Board being of Opinion that there is no longer any Reason for the Order of the 15th Ult. requiring Colonel Gibson to remain at his present Station till further Orders, and that the present situation of affairs renders it necessary for him to join General Washington as soon as the Condition of the Regiment will permit, they advised the Governor to give Directions to that purpose & also to order Colonel Gibson to acquaint General Washington at what time he could be able to march & take his Directions for the Rout & his Excellency was pleased to write a Letter accordingly.

The Governor having received Information that the Enemy are landing their forces upon the Eastern Shore of Maryland the Board are of Opinion that there is no necessity for keeping in pay so large a Body of Militia and therefore advised the Governor to discharge the Companies from Surry, James City, Charles City, and New Kent they having it in their power, from the Contiguousness of their situation to march to this place in a very short time.

²¹⁷Later Shenandoah County.

GOV. HENRY TO COL. GIBSON.

(*Geo. Washington Papers, Library of Congress.*)

In Council W^msburg Sep^r 1st 1777

Sir

The situation of affairs the 15th ultimo having induced the Lieut^t Governor with the advice of the Council, to send you directions to remain at your present Station till farther orders, & the change of appearances since that time rendering it necessary that you Shou'd Join General Washington as early as Possible you will therefore march towards him as soon as the Situation of your regiment will permit, in the mean time it will be necessary for you to inform the General at what time you will be in a condition to march & take his direction for the Rout.

I am Sir

Your hum^le Serv^t

Col^o Gibson

P. HENRY.

with his regim^t
at Alexandria.

[This was enclosed in Gibson to Washington Sept. 10/77 and is therefore addressed

His Excellency

General Washington]

and

[Indorsed:]

Col^o Gibson

10 Sept. 1777

Ans^d 14

GOV. HENRY TO COL. PRESTON.

(*From W. W. Henry's "Henry," III, 90.*)

W^msburg Sep^r 1st 1777.

Sir: The Express bro^t me y^r Favor. I am very sorry to hear of the War which has again broke out. Your orders to the Militia to be in readiness are very proper; and I would have you cooperate with Col^o Shelby, who has the Command in Washington of the Forces kept up, & afford him such assistance from Time to Time as the public Danger may require, & y^r County be able to spare. Scouts are absolutely necessary. Good ones may be the means of saving you. I approve Col^o Shelby's plan of Defence, & hope it may be executed, as an Expedition over Ohio is impossible now. If the Enemy break into your County, your Defence must be your own Militia. If they are too weak, other Countys must reenforce them. But they must fight if invaded. Col^o Fleming will have Directions to co-operate. If Ammunition is wanted send down for it. The Manager at the Mines will deliver Lead; perhaps powder can't be had nearer than Richmond. Col^o Southall will deliver it to y^r order. I can't make any appointment of regular Officers in y^r County as I know not who is proper. Wishing you safety, I am, Sir,

Y^r. mo. ob^t & very hble servt.

P. HENRY.

Col^o Preston.

GOV. HENRY TO GEN. WASHINGTON.

(From W. W. Henry's "*Henry*," III, 91.)

Williamsburg, 5. September, 1777.

Sir: Edmund Randolph, Esq., communicated to me that part of your last letter to him, in which you are pleased to take notice of your lady's reception at this place. I beg you to be assured, that every expression of regard falls far short of that which I feel, and shall retain through life, for such distinguished merit.

You are pleased also to observe, that you have not received any answer from me to your two favors of the 13th of April and 17th of May last. The latter has never been received; the former would have been answered, but really, when I have considered the extent, variety, and importance of the things which occupy your attention, I have been afraid of pestering you with letters. The scheme of embodying volunteers was no more thought of after the receipt of yours, in which it appeared to be against your wishes. In that, as in every military measure, I shall be solely guided by your opinions.

Upon the appearance of the British fleet, about three thousand militia were embodied. They have shown great alacrity. A third part of the militia of Prince William, Loudoun, Fairfax, Culpeper, Fauquier, Berkeley, Dunmore, and Frederic, is ordered to rendezvous at Fredericktown, in Maryland, and there to await your orders. I have thought it of great consequence to throw some troops on the eastern shore, but it is rather disagreeable to the militia, and, for want of more regulars, two companies only are gone there.

Colonel N. Gist, with seventeen Cherokees, being here, chose also to go over, and is gone. Although a good peace is made with the Cherokees, yet our South-western frontier is much harassed with small parties of Indians. General Hand expects pretty warm work about Pittsburg.

Could any particular assistance be rendered to you by Virginia, at this juncture, I should be made happy. Early intelligence of the enemy's motions may be of the highest moment, should they come down the Bay.

I beg leave to assure you of that perfect esteem and high regard, with which I have the honor to be,

Sir,

Your most obedient and very humble servant,

PATRICK HENRY.

His Excellency, General Geo. Washington.

(From *Journal of the Council*.)

Friday September 5th 1777

It being represented to his Excelency the Governor that many Negroes have deserted their Masters in the Counties of Northampton and Accomack on the Easternshore, & have joined the Enemy; and that there is good reason to apprehend many more may follow their Example

& be Instruments in the Hands of our Enemies of committing Robberies & other Depredations on their former Masters, and other Inhabitants of that part of this State; And it being also represented that sundry Persons in the said Counties are suspected of having inclinations to assist the Enemy upon any Occasion that may offer and his Excellency having desired the advice of the Board on this Occasion, They are of Opinion that it is absolutely necessary, for the Safety of that Part of the State, that all Persons who may be justly Suspected of holding Principles inimical to the Freedom and Independence of America, & dangerous to the Peace & security of the well affected Inhabitants, should be removed from the Eastern shore to some Interior part of this State, and confined to such Limits as the Governor shall direct- And the Governor is desired to give Directions to the County Lieutenants of Accomack & Northampton, with the assistance of the Field Officers of their Counties, to enquire into the Conduct of all such Suspected Persons & to cause all such who, in the Opinion of the said Officers, or a Majority of them, shall be adjudged dangerous to the State to be immediately removed under a proper Guard to this City.- all which was by the Governor ordered accordingly.

Saturday September 6th 1777

It being represented to his Excellency the Governor in a Memorial from sundry Gentlemen in the County of Princess Anne that several Persons in that County are Suspected of having Intentions to assist the Enemy as Oportunity may offer some of them having openly avowed such their Intention, and proceeding in some measure to carry the Same into Effect partly by giving Intelligence to the Enemy and partly by falling upon some of the well affected Inhabitants & disarming them purely on account of their being so, and his Excellency having desired the advice of the Board on this Occasion, they are of Opinion that it is absolutely necessary for the Safety of that Part of the State, and also of the County of Norfolk, where there is good Reason to expect from some of the Inhabitants similar Conduct, that all Persons who may be justly suspected of holding Principles inimical to the Freedom & Independence of America & dangerous to the Peace & security of the well affected Inhabitants should be removed to some interior parts of this State, & confined to such Limits as the Governor shall Direct.²¹⁸ And his Excellency is further advised to direct the County Lieutenants of the said Counties with the assistance of their respective Field Officers to enquire into the Conduct of all such suspected Persons, & to cause all such as in their Opinion are Dangerous to the State to be immediately removed under a proper Guard to this City transmitting at the same time to the Governor the Evidence upon which they shall have proceeded. But if any of the above mentioned suspected Persons shall be thought to fall under the Act declaring what shall be Treason, or another Act intituled 'An Act for the Punishment of certain offences' his Excellency is requested to order that such Persons should first be proceeded against as the Law Directs.

All which is ordered accordingly by the Governor.

²¹⁸Approved by the next Assembly. See also Henning's "Statutes at Large", IX, 373.

GOV. HENRY TO COL. WILLIAM FLEMING.

(From Thwaites & Kellogg, "Frontier Defense on Upper Ohio," p. 74.)

W^ms^burgh Sep^r 7th 1777.

Sir

Brigadier General Hand who is appointed by Congress to command the western Garrisons (the Forts being under their Direction by Vote of our assembly) informed me that he should want the Assistance of Militia to chastize the offending Indians & desired permission from me to call out certain portions of them as the Safety of the Frontiers might require. In consequence, I did authorize him to call upon certain Countys & Botetourt among others, to furnish the necessary Number of men, & sent to each of the County Lieutenants Letters informing them respectively that they should comply with the Generals Requisition. These Letters I sent to him & expected he would forward them as he might have Occasion; for without such orders from me he well knew he had not Authority to call out the Militia. I find your Letter has mis-carried. I wish you to comply with his Demand if possible. Indeed it is a delicate point as you observe, to march an Army ag^t the western Tribes; but really their offences are so flagitious, that the Measure of their Iniquity seems to be full. Defensive operations cannot be productive of Safety to the Inhabitants, who have suffered abominable crueltys from the Savages. The Mingos are those whom the General wishes principally to scourge for the present. I am sorry for the Difficultys attending the Measure with y^r Militia, but you will surmount them as well as you can. The continental commissary being not on the Spot, I fear Obstructions on that account. I send an order for some Lead. Congress wants a large Quantity & I must be frugal of it. I am glad to hear some Help is arrived at Kentucky.²¹⁹ Gen^l Hands operations will be effectual toward protecting that Quarter.

I beg Leave to congratulate you on the Success of our arms on the frontier of New York. Burgoine's Defeat if it is totally effected will deter the Indians. American affairs wear a promising aspect now. The Enemy who are landed at the Head of the Bay, are opposed by a well appointed Army ab^t 12,000 strong & that will soon be reinforced by as many Militia who are very eager to turn out. I wish you Health & Happiness & Prosperity to y^r part of the country & am very respectfully Sir y^r mo ob^t & very hble serv^t

P. HENRY.

P. S. The Evil of engrossing as practised with you, is a great one. It requires legislative authority to correct it.

P. H.

GOV. HENRY TO RICHARD HENRY LEE.

(From W. W. Henry's "Henry," III, 94.)

W^ms^burgh Sept 12th 1777.

Your agreeable favor my dear sir, gave me great pleasure. I rejoice at our success over Burgoine, & I rejoice because the New

²¹⁹Col. John Bowman with two companies of militia had reached Boonesborough on August 1.

England men had so great a share in it. For a malevolent set are continually endeavouring to spread jealousies of these our honest, best, & most faithful allies. In proportion as I hear them traduced my Esteem for them encreases. I hope now we shall hear no more of their prejudice. Indeed I'm not a judge how far they have lately complied with the Requisitions of Congress, but only speak of them as they stood when I was a member. My plan was to throw a Body of Troops on the Eastern shore, but the Enemy's ships have made that impracticable in some measure. I've sent pressing orders, & repeatedly, to Col^o Gibson to go on, & he will do so whenever the men are able. I laid the Requisition for the Cables &c. before our Navy Board, but their answer is that the size of them is too large. I shall send it enclosed. I am much pleased to hear of the spirit with which the militia turn out. Their ardour is great. We have a few corps of them here, but they are impatient to go home.

Hearing from undoubted intelligence that our lost officers are imprisoned at N. York, & having one Lieutenant and 3 midshipmen of the Enemy's prisoners here, I've ordered them close prisoners in goal by way of retaliation. I have resisted the first impulses to this measure, but repeated proofs of inhuman Treatment to our people will suffer no longer hesitation.

Seventeen Cherokees with Col^o Gist are gone to the Eastern shore with two company of Regulars. The Ohio Indians are troublesome, & General Hand meditates some offensive measures. As the Defence of this country now rests on the militia, & they cannot be kept constantly embodied, it becomes necessary for the public safety to receive the quickest Intelligence of the Enemy's motions. I'm not without Hopes that they may be forced to embark again, & in that case they may ravage to great extent, unless there is time for preparation to receive them. I have sent Capt. Pierce²²⁰ to the camp for the sole purpose of gaining Intelligence, & in the mean time shall be exceedingly obliged to you to continue y^r agreeable Intercourse, by which I receive so much pleasure & the public is availed of those Incidents that so much concern it to know.

Wishing you Health, & the enjoyment of every good thing, I remain,

My dear Sir,

Your affectionate humble servant,

P. HENRY.

R. H. Lee, Esq.

Baron Kalb's trunk shall be sought for.

P. S. Lieutenant Col^o Carrington having made every concession that was proper, I have to entreat that congress will, if agreeable to them, erase the Resolution respecting him, that nothing to his prejudice may appear hereafter.

P. H.

The Navy Board answer they can't without difficulty get Hemp to supply our own little navy.

²²⁰William Pierce, captain 1st Continental Artillery; aide de camp to Generals Sullivan and Green.

*(From Journal of the Council.)*Monday September 15th 1777

The Governor having communicated to the Council a Letter from General Nelson setting forth that he has the greatest Reason to expect an attack upon York Town from several Ships of war that lie at the mouth of the river, & referring to his Excellency the propriety of keeping the Militia sometime longer embodied- the Board, upon due consideration thereof, do advise his Excellency to direct the General to Postpone the execution of the Order of Saturday for disbanding all the Militia, except three Battalions, till further Orders.

The Governor was pleased to give Directions accordingly.

The Governor acquainting the Board that his State of health²²¹ requires his retiring for some time into the Country, but recommending that the Board should nevertheless continue sitting, and they concurring in Opinion with his Excellency that they ought to continue to sit.

Wednesday September 17th 1777.

The Board having received Information from General Nelson that he had not any farther Intelligence of the movements of the Enemy's Fleet from which an Attack was apprehended,²²² they advised the Lieutenant Governor to direct the General to put the Order of Saturday last, & which was since suspended, into execution; but that the General have the farther Discretion to Dismiss such of the Militia whose Domestic Affairs most urgently require their Return. All of which the Lieutenant Governor Directs accordingly.

The Lieutenant Governor having laid before the Board a Letter from Brigadier General Hand of the 25th of August last, and another from Colonel George Morgan of the 16th of the same Month containing sundry Intelligences relative to Indian Affairs, together with Answers to them respecting which he had prepared and desired the Concurrence of the Board therein- they highly approved of the same and desired them to be recorded in the Letter Book.

The Lieutenant Governor also laid before the Board a Letter of the 28th Ult from Colonel John Campbell of Yohogania County, on the Subject of granting Military Commissions for the said County, & upon other Matters, in answer thereto, they advised his Honor to inform Col Campbell that it is the Intention of this Board always to advise the Governor to Commission such Persons, as the several County Courts may recommend for Militia officers; and that in the instance of his

²²¹While Governor Henry was absent on account of the "state of his health" he married his second wife, Dorothea Dandridge, daughter of Nathaniel West Dandridge and of Dorothea Spotswood, daughter of the royal Governor Alexander Spotswood. (October 9, 1777.)

²²²A letter from Gov. Johnson, of Maryland, to Governor Henry, dated Thursday, Sept 18, 1777, announced: "The last of the enemy's fleet just passed the mouth of this river, and we suppose are, as we have been informed by deserters, under orders for Delaware; it may be material for you to know the whole are gone down, and therefore send this by express
* * * * *"
Virginia Gazette, September 26, 1777.

country such Recommendation was waited for a considerable Time, till at last it was judged absolutely necessary to leave the County no longer without officers, & therefore the appointments were made with the Advice of the Council only; which appointments being strictly Constitutional, cannot now be revoked, but on the Sentence of a Court Martial, and if there were such a power reposed in the Governor, the Board think it would be improper to exercise it at a Time when the Authority of the Appointments is so wantonly called in question- that the Idea of the people having a Right to elect the Militia Officers is totally inadmissible- But with respect to such officers as may have refused to accept their appointments- to direct him to supply their places with such Persons as the County Court may recommend, & for that purpose to make use of the blank Commissions he has- to inform him that his continuing in office, so troublesome as it is rendered amidst all this opposition, & that with a view to the preservation of the Constitution, merits the particular Thanks of the Executive.

Also to inform him in answer to that part of his Letter which Respects Arms that he cannot possibly be supplied from hence the Demand for them here being too great to admit it; And that the Board think he ought not to keep any Militia in service; besides those which General Hand may require of him.

JOHN PAGE, LIEUTENANT-GOVERNOR, TO GEN. EDWARD HAND.

(From Thwaites and Kellogg's "*Frontier Defense on the Upper Ohio*," pp. 85, 86.)

W^msburgh, Va. In Council, Sept. 17th 1777

Sir

Y^r letter of 25th Aug^t is just come to hand, in w^h you apologize for y^r large draughts of militia you have found it necessary to make. I can only observe, Sir, that the Board are perfectly satisfied with the steps you have taken, but are afraid that the late requisition from Congress for 1-3 of the militia of several of the Counties you had called on, may interfere with your plan, & the men you may receive may fall considerably short of your expectations. * * * * *

I cannot conclude without expressing our earnest desire that you will endeavor to discover & bring to justice the perpetrators of the horrid murders committed on the Indians at their late Treaty²²³ at Fort Pitt, which must otherwise expose us to the shameful reproach of being as treacherous & perfidious as the worst of savages. We are the more shocked at this affair which would be disgraceful to the most barbarous nation, as it is a repetition of the same cruel & faithless behavior which the Cherokees experienced from us on a late similar occasion. I have the honor to be &

JOHN PAGE.

²²³The word is used here in the old sense of "conference". The word at this time sometimes meant the conference at which a proposed agreement or treaty was discussed and sometimes the actual agreement made. No treaty in the modern sense was actually drawn up. The few Delawares who came to Fort Pitt merely left hostages for their good behavior. Some of the Senecas were actually murdered before reaching Fort Pitt.

JOHN PAGE LIEUTENANT-GOVERNOR, TO THE
DELAWARES.

(From "*Frontier Defence on the Upper Ohio*," *Thwaites and Kellogg*,
p. 88, et seq.)

W^msburgh Sept^r 18. 1777.

Brothers the Delaw^{as}- I write now to you, by our Brother Col. Geo: Morgan to assure you that the State of Virginia is determined to hold fast the chain of friendship with and support you as she would her own children against all your Enemies as long as the Sun or Moon shall shine & rivers flow. The same assurance the Col. will give from all our 13 United States for now B^{rs} these states of america have broken off the galling Yoke of the English & act for themselves they have been cruelly treated by the English who have grown proud & insolent by the great riches they had acquired in their Trade with our States & by the Assistance we lent them in their Wars with the french & other Nations as you can well remember, began to treat us not like their Children, as we foolishly called ourselves but like their slaves & because we complained of this Brothers & entreated their cruel King to let us enjoy the same Liberty we enjoyed under the old King his Grandfather he insulted us & sent his fleets & armies to frighten us into a Tame submission to his will, we bore long with many cruelties still hoping that we should not be forced to break off from that Nation & shift for ourselves. but at last when they had killed many of our People burned our Houses & had endeavoured to make all the Indian Nations on our frontier butcher our Women & Children, & the very Negroes born in our own Houses cut our Throats, the 13 States laid hold on one strong bright Chain of friendship, & resolved to be as one People for ever and to take up the Hatchet & knock off the hard Chains the English had bound them with & with that Hatchet to clear their way to Liberty & Peace. whoever strikes one of these States strikes all & all will return the Blow the English know this & have felt the weight of it & have therefore told you lies & endeavoured to prevail on you to help them to fight us, but consider well that God almighty has seen their wickedness & heard their Lies & has therefore stretched out his hand to help us & has confounded almost all their cruel Schemes, we trust in God he is now our King & not a weak & foolish Man from him who is King of Kings & Gov^r of all the World we expect support & we call on you yourselves to say whether we have not recd. it from him for how else did it happen B^{rs} that the English who were so great a Nation with all the fleets & armies they Could raise have not been able in two Years to conquer one of our 13 States how otherwise can it be accounted for that we who had neither arms or Soldiers have now an abundance of both & that in several Battles with them we have Killed many of their Soldiers without loosing a Man we scorn to lie as they do we acknowledge that they have taken some of our Towns & that they still have a large army in one of our States, but we deny that they can ever conquer us or inclose us in a Pen like Bullocks as they falsely told you, our Way is open even on the Sea, where they are Most powerful for we trade with france & Spain

Nations great & powerful now as England & as to being penned in by Indians the Cherokees know how unable they were to keep us in & that the English could not have hindred Us from destroying their whole Nation, if we had Chosen it & had not mercifully spared them, they have seen their folly we have forgiven them, & are now friends, Brothers we are not like the English cruel & unrelenting we would forgive even them if they would leave off killing our People we have lately got the better of them in several Engagements & our army is now much larger than theirs so that we hope that they will soon carry them away to their own Country & leave us to ourselves, if they do we will forgive them & not follow to fight them but trade peaceably with them when they send their People here to buy our Tobacco & Wheat & your skins & furs & many other Things which they will want & which we can let them have for their Goods. I hope I have now opened your Eyes Brothers that you may see your Way clearly & your Ears that you may hear the Truth let them not be stopped again, Hold fast the Chain of friendship with our States & remember that we look upon you as Brs. born under the same Sky & living on the same Land & having the same Common Interests. We love you & sincerely Wish Peace & Happiness to all our Indian Br^s, We do not wish that they should ever fight for us none but the cruel English & their friends wish to see you engaged in a War. they indeed strong as they pretend to be, would prevail on you to help them to fight & I suspect have killed some of your people & then told you ours had killed them trust them not Brothers believe them no more but remember what I have told you & listen to our Brother Col. Morgan. I am Y^r, friend & Brother

JOHN PAGE

L^t Gov^r

JOHN PAGE, LIEUTENANT-GOVERNOR, TO GEN. WASHINGTON.

(Washington Papers, Library of Congress.)

Williamsburg September 19th 1777.

Sir

Not having received the least Intelligence of your situation, or the disposition of the Enemy for seventeen days past, and knowing that they were then so stationed, that possibly they or their adherents may have intercepted dispatches of importance, from you, or Congress to this State, I have thought it proper to send an Express to your Excellency, and to our Delegates, that if any of your Letters have failed, you may by this opportunity, send copies of them, or such others as your present situation may render necessary. This Step appears the more expedient as the Delay or Miscarriage of important Dispatches might be attended with great inconveniences at this critical Juncture.- If you have sent no Dispatches we hope at least to have the satisfaction of being relieved from our great Anxiety and Suspense, by the return of our Express; I wish not to intrude upon you, Sir, when so many important objects engage your attention- I would not even have you write a Line, in answer to this. I shall be happy if I can hear from any

of your Secretaries, or from Captain Pierce, our Agent, that you enjoy your health, and that Affairs are as you could wish- as soon as it was known here that the Enemy were landed and advancing towards Philadelphia, the Governor, by the advice of the Council discharged all the Militia of the adjacent Counties, which left three Battalions, consisting of about seventeen hundred men, but I suppose General Nelson has informed you of this- We wish on this account to have the earliest intelligence of the Motions of the Enemy, and the return of their Fleet, that we may be prepared to oppose their cruel ravages, should they chuse to let loose their disappointed rage on Virginia.

I am Sir, wishing you all health and happiness, and the success and glory, you deserve: with the sincerest esteem and highest respect,

Your much obliged, and most
obedient humble Servant.

JOHN PAGE.

[Addressed:]

To

His Excellency General Washington
Head Quarters

[Indorsed:]

Jno Page Esq^r
19 Sep^r 1777
Ans^d 2^d Oct^r

LT.-GOV. JOHN PAGE TO GOV. CASWELL.

(From "*State Records of N. C.*," Vol. XI, p. 625.)

In Council W^msburg, Sept. 26th 1777.

Sir,

The Board having received information that the Ocracock Inlet has been blocked up, by some of the Enemy's small Cruisers and Tenders, and it being suggested that if the Gallies, which were directed to be built and fitted out at the joint expence of North Carolina and Virginia, or even any one of them, could be expeditiously equipped, that important pass might be easily opened to the great advantage of these States, and Possibly to the disgrace and destruction of that part of the Enemy's Fleet.- It is therefore hoped that your Excellency will give such orders in this matter, as may appear to you most likely to produce the desirable purposes just mentioned. We have desired Champion Travis²²⁴ Esquire, one of the Commissioners of the Navy to examine into the State of the Gallies at the South Quay, & to give directions for the immediate Execution of what may be wanting on our part, that we may be able as soon as possible to cooperate with your State in the most vigorous manner, for our mutual defence. I cannot refrain from acknowledging the obligations I think the State is under to you Sir, for the orders you issued for one third of your Militia to hold themselves in readiness to march to our assistance on the late alarming occasion, and to the good people of North Carolina for the readiness they have always

²²⁴The name is incorrectly printed 'Chapman Francis' in the "State Records" text.

shewed to assist us. May an affectionate mutual attachment between North Carolina and Virginia ever increase, to the Honor and security of the United States in general, and of these contiguous sister States in particular.

Last Tuesday evening the whole of the Enemy's Fleet, which had gone up the Bay, went out of our Capes. We have received no authentic accounts, but from the best that can be collected, we lost 6 or 8 hundred men- & the enemy near 2000 in the action on the 11th instant.

General Washington has received Reinforcements and Howe has retired, from the Head of Brandywine to Wilmington. I have inclosed you the papers of the week for your further information, and have the Honor to be with the highest respect.

Sir, your most obed. Serv^t

JOHN PAGE.

(From Journal of the Council.)

Friday October 10th 1777

Whereas the Board, by a Resolution of the 18th of August last, required the Commanding Officer at every Station to cause all persons who had refused to take the oath of Allegiance to the Commonwealth, and all others who they should have good Cause to suspect had designs of being anything unfriendly to the State to remove themselves ten Miles from any Camp or Garrison where any Troops are stationed or from any Post or place where the Enemy's Ships lie & to apprehend and secure all the Persons afore said who might thereafter be found within such Limits giving Notice of their Proceedings to the next Justice of the peace & also to the Governor from time to time; and whereas the said recited Resolution was entered into at a Time that the State was threatened with an Invasion by a formidable Armament in the Bay of Chesapeake but for as much as there seems to be no reason to expect any sudden Invasion as the said Fleet have sailed out of the Capes of Virginia & the Board have been informed that it is General Washingtons Opinion that the Enemys attention is so fixed on other Objects that this State need be under no apprehension of Danger from them this Campaign. It is therefore the unanimous Opinion of this Board that the above recited Resolution ought to be suspended for the present and the Lieutenant Governor is advised to give Directions to the Commanding Officers at every Station to permit such Persons as may have been removed by Virtue of the Resolution aforesaid to return to their usual Places of abode upon giving their Parols respectively not to aid abet, hold any correspondence with, or give Intelligence of any matter or thing to the Enemies of the United States of America. And his Honour was pleased to give Directions accordingly.

Wednesday October 15th 1777

His Excellency having communicated to the Board sundry Letters & other papers relating to the Quakers²²⁵ & Others who have been apprehended in Pennsylvania by Order of the executive Council of that State, as Enemies to the Independence of America, and it appearing therefrom that in the present Time of Danger more immediately threatening that State, it had been judged necessary to send them to the Town of Winchester in the County of Frederick of this State, & the Lieutenant of that County informing the Governor that he wanted his Excellency's Sanction for confining them as Prisoners of War, & also that the people of that place were greatly incensed against the said Prisoners, & had demanded their removal, and that it was with difficulty he restrained them from doing Violence to their Persons; the Board advised his Excellency to write to the said County Lieutenant commending his past Conduct, & directing him to continue Protection, and to exert himself to afford humane Treatment to the said Prisoners whom he is to consider as under his care till orders may hereafter be given for their removal—Till which Time he is to permit them to walk in the day time in any part of the Town for the Benefit of their health. The Board further advised the Governor to direct the County Lieutenant aforesaid to let the People of his County know, that any violence which may be offered to Prisoners will be considered as highly Derogatory & Dishonourable to this Government, & in the mean time they recommended to his Excellency to write to the Executive Council of Pennsylvania informing them of the situation of their Prisoners at Winchester²²⁶ & that his Excellency would give Directions for the removal of them to such other Place within this State, as they should signify to him to have their approbation.

Thursday October 16th 1777

The Governor is advised to order all soldiers enlisted in the service of this State that have not yet been on actual Duty to repair to this City (Williamsburg) without loss of Time. And the Governor orders it accordingly & expects that all concerned will pay due Regard to this Requisition or otherwise they will be considered as Deserters.

Saturday October 18th 1777

The Board having received Information that sundry Stores, which were requested some time ago by the Honourable Committee of Safety from the Court of Spain, have been sent from Havanna to New Orleans, and are now stored there & wait the Orders of this State they do advise the Governor to give Instructions to Rawleigh Colston Esquire who is

²²⁵On Sept. 3 Congress had

Resolved, That Congress approve of the Quakers prisoners being sent to Virginia, and, in the opinion of Congress, that Staunton, in the county of Augusta, is the most proper place in the State of Virginia for their residence and security; and with regard to the other prisoners mentioned in their letter, Congress leave it to the supreme executive council to do with them as they in their wisdom shall think best.

²²⁶See Thomas Gilpin's "Exiles in Virginia", 95, *et seq.*

about to sail for Cape Francois as Agent for this State, to apply to the Governor of New Orleans for the same & send them here without loss of Time, and the Governor is further advised to write Letters to the Governors of Cuba & New Orleans acknowledging the Obligations the united States of America & Virginia in particular are under to his Catholic Majesty for this Mark of his good will towards them and his Excellency having prepared Letters accordingly the same were read, approved of & ordered to be recorded.

GOV. HENRY TO THE GOVERNOR OF CUBA.

(From Virginia State Archives.)

Wmsburg in Virg^a October 18. 1777.

Sir,

A Copy of a Letter from his Excellency the Governor of New Orleans directed to the Congress, and by the President transmitted to me as Governor of this Commonwealth, informs me, that by the generous Indulgence of his Catholic Majesty a Quantity of Goods have been sent from Spain to the Havanna & from thence to New Orleans for the use of this State. I am, therefore, Sir, to make the most hearty Acknowledgements of the Obligations the united States of America & Virginia in particular are under to his Majesty, for this Mark of his good will towards them. I trust they will ever gratefully remember it, and make no Doubt they will amply repay such kindness. We are well acquainted, Sir, with the Honour, Spirit and Generosity of the Spanish Nation, & should therefore Glory in an intimate Connection with it. For I suppose, I need not inform your excellency, that these States are now free and Independent, capable of forming Alliances & of making Treaties. I think the Connection might be mutually beneficial; for independent of the Beef, Pork, live Stock, Flour, Staves, Shingles, and several other articles with which we could supply your Islands, we have vast Quantities of Skins, Furs, Hemp, and Flax, which we could, by an easy inland Navigation, bring down the Mississippi to New Orleans from our back Country, in exchange for your Woolens, Linens, Wines, Military Stores, &c. and were you once restored to the Possessions you held in the Floridas (which I sincerely wish to see, & which I make no Doubt these States would cheerfully contribute to accomplish,) the Advantages to us both in Commercial View would be greatly increased. The English, indeed, insinuate, that it would be impolitic in your Nation to assist us in our present Situation; but you are too wise not to perceive how much it is their Interest that you should be imposed upon by this Doctrine; & how much more formidable they must be to you with the Assistance of America than without it; and you must be too well acquainted with the Nature of our States to entertain any Jealousy of their becoming your Rivals in Trade, or, overstocked as they are with vast Tracks of Land, that they should ever think of extending their Territory.

I shall now no longer intrude on your Excellency, than, to entreat you to accept of our warmest Thanks for the Kindness your Sovereign has shown to our States, and to present them to him in such a manner as

may be most acceptable to him, & to beg, that you will point out to us what Remittances will be most agreeable for the Goods furnished us & how we shall be able to make the best Returns for such Favours, as we have received of your Nation This you will be pleased to communicate to me by means of a Letter directed to me, which your Excellency will please to send to the care of our Agent Rawleigh Colston Esq^r at St Domingo. I have the honour to be &c.

Copy. Arch. Blair C. C

Signed

To the Governor of Cuba.

P. HENRY

GOV. HENRY TO THE GOVERNOR OF NEW ORLEANS.²²⁷

(*From Virginia State Archives.*)

Wms'burg Virg^a October 18th 1777,

Sir:

I humbly conceive that it is an object worthy the attention of your Excellency and of the Ministers of Spain, although the grandeur of your Nation does not depend on Commerce, to secure the Trade at least of the Southern States of America, & thereby deprive their Ancient & national enemy the English of all those vast Supplies of naval Stores, & many other Articles, which have enabled them to become so powerful on the Seas. Immense Quantities of Hemp, Flax, Skins, Furs, Beef, Pork, Flour, Staves, Shingles, &c. the produce of our back Country might be easily carried down the Mississippi to New Orleans, which place, if it were made a free Port, would be resorted to by the French & Dutch who might take off the Tobacco & other Articles which Spain would not want for her own Consumption. Indeed, if you were once in possession of Pensacola & St. Augustine, you might enjoy a great part of the Trade of our Northern States. If your Excellency should think it would be worthy the attention of your Court to cultivate a Correspondence with these states through the Mississippi we would establish a post at the mouth of the Ohio to facilitate the necessary Intercourse between us. I have ordered our agent at St Domingo to apply for some of the stores which by your kind assistance we understand are lodged there for our use. We have not received your Excellency's letter on this subject, but are informed by the President of the Congress that such letter has been delivered to the Committee of Congress. I shall also order a Boat down the Mississippi for the remainder of the Stores at New Orleans, by which I shall do myself the honour to write more fully to your Excellency.²²⁸ I have the Honour to be &c.

To the Gov. of New Orleans.

Signed

P. HENRY.

[The General Assembly convened on Monday October 20.]

²²⁷ Don Bernado de Galvez. See letter of Governor Jefferson to de Galvez, dated Nov. 8, 1779.

²²⁸ W. W. Henry in his "Henry" presents a very different version of the above.

(*From Journal of the Council.*)

Tuesday October 22^d 1777

The Governor is advised to give Directions to the Commissary of Stores to make Sale of twenty of the flat Bottomed Boats, built for the Service of this State, to such Persons as are willing to give the first Cost- and for the encouragement of the Purchasers to allow them as much sail Duck & Cordage as will be sufficient to rig them, at a reasonable Price. And the Governor directs it accordingly.

GOV. HENRY TO GEN. WASHINGTON.

(*From W. W. Henry's "Henry," I, 541.*)

Williamsburg, October 29, 1777.

Sir: The Regiment of Artillery commanded by Colonel Charles Harrison is yet in this State. They have been detained here, under leave of Congress, to do Duty at Portsmouth and York, near which Places the Enemy's Ships of War have been long hovering. At present, seven Men of War & three large Transports or provision Vessels, are in and near Hampton Road. The Troops of the State are so few, that the Defence of our maritime places will be precarious in the absence of that Regiment.

Militia must in that Case be chiefly depended on, and their Skill in managing Cannon promises nothing effectual. But, reflecting on the necessity there may be of re-enforcing the army under your Excellency's Command, I trouble you with this, entreating you will be pleased to tell me whether that Regiment will be a desirable aid to you.²²⁹

If it is, perhaps Inoculation ought to be set about immediately.

With the highest Regard I am,

Sir,

Your mo. obd^t Hble Serv^t,

P. HENRY.

To His Excellency, General Washington, at Head-Quarters.
Per Express.

(*From Journal of the Council.*)

Thursday October 23^d 1777

The Board being informed that upwards of Seven hundred & fifty Prisoners of War are now at Winchester, being sent there by Congress, & that it is distressing to the Inhabitants of that Place to Provide for so large a Number they do advise his Excellency to order two hundred of the said Prisoners to Berkeley County, one hundred of which to be lodged at the Town of Martinsville & a hundred at Shepherds Town Also to order two hundred to Dunmore County, one hundred of which to be lodged at Millers Town, & a hundred in Stobers Town, and to direct that y^e remainder continue at Winchester until proper Barracks can be provided for the reception of the whole of them. And the Board do further

²²⁹Washington, in his reply, declined the regiment. See also Washington's letter published in W. W. Henry's "Henry," I, 542-544.

advise his Excellency to empower & direct Colonel David Kennedy²³⁰ to have log Barracks, with a Stockade Yard, built at, or near, Winchester, on the best Terms he can, on Continental Account, capable of accomodating one thousand Men agreeable to the Directions of Congress; and to give Orders to Lieutenants of the aforementioned Counties, where any Prisoners are stationed, to take proper care of the said Prisoners until the Barracks are done, and to invest the said Lieutenants with discretionary Powers of calling out Guards of the Militia when occasion may require. And his Excellency was pleased to write Letters accordingly.

GOV. HENRY TO GEN. WASHINGTON.

(From W. W. Henry's "*Henry*," III, 106.)

W^m ^mburgh Oct^r 23^d 1777.

Sir: The Militia from Culpepper County were promised by their Col^o., that they should be relieved by the last of this Month; and as it is impossible to march a like Number from Virginia in Time to comply with that Engagement, I trouble you with this, requesting that you will be pleased to discharge them at the time they were promised Relief, unless they chuse to serve longer.

With the highest Regard, I have the Honor to be,

Sir,

Y^r most obedient &
very humble Servant,

His Excellency Gen^l Washington.

P. HENRY.

(From *Journal of the Council*.)

Wednesday October 29th 1777

The Governor wrote a Letter to his Excellency General Washington on Subject of Marching Colonel Charles Harrisons Regiment of Artillery to his Aid- a copy of which is filed- vide Letterbook.

GOV. HENRY TO GEORGE WYTHE, SPEAKER OF THE HOUSE
OF DELEGATES.

(From *Va. State Archives, Ex. Com.*)

In Council October 30th, 1777.

Sir,

Since my Letter of the 22^d, the inclosed Letter from Thomas Adams, Esq^r²³¹ came to Hand. It is an Answer to one I wrote him by

²³⁰From the *Journal of the Continental Congress*, Dec. 31, 1777.

Ordered That a warrant issue on the treasurer in favour of the Board of War for 20,000 dollars to be transmitted by the said Board to John Smith Esqr. county lieutenant of Frederick in the State of Virginia, to defray the expenses of building barracks, purchasing provisions for prisoners of war in the county afore said, and the guards over them, and also for paying the guards, it being agreeable to his excellency Governor Henry's letter of the 23 October, to Colonel William Kennedy, the said John Smith to be accountable.

²³¹Thomas Adams (1730-85) passed some years as a merchant in London; returned to Virginia, and was a member of the Continental Congress, 1778. His letters, published in the *V. H. M.*, Vol. XXIII, 52 *et seq.*, are very informing with regard to the trade of Virginia just before the Revolution.

Advice of the Council of State, in which I informed him of his having been appointed by a Resolution of the General Assembly one of that Board; but that according to the Plan of Government it was conceived his Election was null and void, if he yet continued to be the Clerk of Henrico County-Court; upon which Point I desired him to give me Information. I cannot mention this Subject, Sir, without expressing the very great Reluctance with which myself & the whole Board of Council took this Step, which we were well aware might be considered by some as too bold & presumptuous- But, after the maturest Reflections on the Subject, & particularly on the Paths of our Respective Offices, we were of Opinion there was no Alternative, consistent with that Integrity it ought to be our first Care to preserve. And I beg Leave to assure the General Assembly, that in this Business not the least Glimmering of an Idea disrespectful to them was entertained; but, on the contrary, it was painful to find our Selves not at Liberty to indulge our strong Prepossessions in Favour of all their Proceedings, & in Favour too of a Gentleman, whose Merit stands high in our Estimation, but who, nevertheless, would not, as we supposed, have received from the General Assembly *this particular* Testimony of it, but thro Inadvertence to the disqualifying Circumstance above mentioned.

I am, Sir,

Your most respectful

and Obedient Servant,

P. HENRY.

To

The Hon^{ble} George Wythe, Esq^r,

Speaker of the House of Delegates.

GOV. HENRY TO GEN. WASHINGTON.

(From W. W. Henry's "Henry," III, 111.)

Williamsburg, 30 October, 1777.

Dear Sir: My great anxiety for the success of the American arms under your command, induces me to trouble you with this. Accounts from the camp are so various and contradictory that I know not what to rely on. If the weight of public affairs, under which you have so long labored, will permit, a few lines will be most welcome to me.

Although it seems impossible to enlist Continental recruits, yet the zeal of our countrymen is great and general in the public cause. I wish some proper exertions of that spirit were wisely directed to the general good. A hint from you may lead to something important, at a time like this, when most people seem at a loss to fix on the most effectual means of prosecuting the war vigorously. The Assembly is now sitting, and I shall take pleasure in communicating to them any matter you judge proper for their attention.

I beg leave to assure your Excellency, that with the most unfeigned respect, and highest regard, I am dear sir,

Your most obedient servant,

PATRICK HENRY.

His Excellency Gen^l Washington.

(From Journal of the House of Delegates.)

Friday October 31

The Governor having laid before the House, the proceedings of the court of the county of Prince William against Mr. Cuthbert Bullitt, one of the members for the said county, with the papers therein mentioned and referred to, according to the message of Thursday last, A motion was made . . . to refer to a committee.

[The reply of Richard Henry Lee to a letter of Gov. Henry's of November 3 is printed in Ballagh's "Letters of Richard Henry Lee," Vol I, p. 359.]

(From Journal of the Council.)

Friday October 31st 1777

The Governor is advised to direct Colonel William Christian to employ a proper Person to run the Line agreeable to the late Treaty of Peace with the Cherokees & to call for such part of the Militia of Washington County as may be necessary for protecting the Survey or while about that Business; His Excellency is also advised to issue a Warrant for two thousand pounds payable to Colonel Christian for the purchase of the Cattle &c. Stipulated to be given to the Cherokee Indians & for defraying such other Expences as may incidentally arise.

This Board reflecting on the happy issue of the late expedition against the Cherokees & the great Advantages which have been and may be derived to this State from the late Treaty of Peace with them cannot refrain from doing that Justice they think due to Colonel William Christian Commander in chief on the said Expedition to whose judicious & humane Conduct these advantages are greatly owing. By advising his Excellency the Governor to inform Colonel Christian that the whole of his Conduct on that Occasion meets with the highest approbation of this board for which they desire his acceptance of their warmest Thanks.

The Governor is advised to issue his Proclamation appointing Thursday the 13th Day of next Month to be observed in all Churches & Congregations of Christians throughout this State as a Day of general & solemn Thanksgiving on account of the great & signal Victory gained over General Burgoyne by General Gates on the 14th Instant.²³²

Wednesday November 5th 1777

The Governor, with the Advice of the Council, wrote a Letter to the Commanding Officer of Albemarle County, directing him to permit Levi Townsend, who is now Confined in Staunton Jail as a Prisoner of War, to go at large in the said Town taking his Parol not to depart therefrom till further Orders.

²³²The Capitulation had been signed at 8 o'clock on the evening of October the fourteenth.

(From Journal of the House of Delegates.)

Thursday, November 6.

The Speaker laid before the House a letter from the Governor, enclosing several resolutions of the General Congress and other papers.

(From the Virginia Gazette, November 7, 1777.)

By his Excellency Patrick Henry, Esquire, Governor or Chief Magistrate of the Commonwealth of Virginia.

A Proclamation.

Whereas I have received certain intelligence, that General Gates, after repeated advantages gained over General Burgoyne, compelled him on the 14th day of this month to surrender himself and his whole army prisoners of war: NOW to the end that we may not, through a vain and presumptuous confidence in our own strength, be led away to forget the hand of Heaven, whose assistance we have so often in times of distress implored, and which, as frequently before, so more especially now, we have experienced in the signal success of the arms of the United States, whereby the divine sanction of the righteousness of our cause is most illustriously displayed, I have thought proper, by and with the advice of the Council of State, to appoint *Thursday*- the thirteenth day of the next month to be observed, in all churches and congregations of Christians throughout this State, as a day of general and solemn thanksgiving; and it is most earnestly recommended to the several Ministers and teachers of the Gospel, and they are hereby enjoined, to embrace this opportunity of impressing on the minds of their hearers those sentiments of pious joy which the glorious occasion so aptly calls for.

Given under my hand at the Council Chamber, in the city of Williamsburg, the 31st day of October, in the second year of the Commonwealth, Annoque Domini 1777.

P. HENRY

GOD save the UNITED STATES.

GOVERNOR HENRY TO THE SPEAKER OF THE HOUSE OF DELEGATES, GEORGE WYTHE.

(From Virginia State Archives.)

Nov^r 10th 1777

Sir

I have the Honor to transmit to the general Assembly the several papers which accompany this which were brought to me yesterday by Express from our Delegates at Congress.

Some of the militia lately called into Service at Portsmouth will be speedily discharged from thence for want of proper Barracks, unless an officers I have order'd to that place for the purpose can provide them.
I am

Sir

Your most humble servant,

The Honble Geo. Wythe Esq^r

P. HENRY

(From Journal of the House of Delegates.)

November 10, 1777.

Resolved, That this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the letters from the Governor, which with several other papers were ordered to lie upon the table.

Ordered, That the treaty between the commissioners, appointed on behalf of this Commonwealth, and the chiefs of the Cherokee Indians made the 20th day of July last, and laid before the House by the Governor, be referred to the committee of the whole House, to whom the motion "that a supply be provided for the public exigencies."

GOV. HENRY TO RICHARD HENRY LEE.

(From W. W. Henry's "Henry," III, 115.)

W^msb^urg Nov^r 10th, 1777.

I have to make my best acknowledgments to you, my dear sir, for your many interesting letters lately rec^d. The authority of them served to fix the belief of our late glorious successes, when others seemed to doubt them, producing sundry testimonys from the north which had well nigh set us to mourning. Col Lane to day gave me yours of the 14th October. The matters it contains were highly interesting. Yours to Col^o Rich^d of the 5th Nov^r he has showed me to day. I congratulate you on the events it mentions. Our assembly has been sitting 4 weeks, & not a Bill passed, or anything done. I have dispatched two agents to Carolina in pursuit of Woolens for the grand army. They might have been had some time ago, but tis uncertain now. I propose to draw on congress for the am't. The Goods will be very high, tho' I shall not stand at a small matter. I have it in contemplation to dispatch a messenger to Havanah & Orleans to negotiate a loan of money to Virginia. Pray what think you of it? Pray keep it close, & mention it to no one. Your sentiments may help me out on the subject. Our Credit is almost gone. Twas fatal to omit taxing when you proposed it. Will you send me a copy of a letter rec'd from Orleans by the committee (I believe) of secret correspondence? Gibson's trip may be improved to great purposes. I've proposed to establish a post at the mouth of the Ohio, if the Spaniards will bring the Goods there in their own bottoms. I've sent letters to Havanah & Orleans by an agent who is to try the Experiment of a Vessell round by sea. If the Northern Army can arrive at Delaware, Howe may possibly be embarrassed, & so a prospect open for that sweet enjoyment of the repose, which your incessant & distinguished labors so richly deserve. I shall tell you of Mr. Loyeauté in a letter to the Delegates, & for that I have so long kept the express. Adieu my dear sir. Comend me to Col^o Frank,²³³ & believe me,

Y^r affectionate servant,

P. HENRY.

P. S.—After keeping y^r Express till the 15th I send him away at last without the Resolution respecting Mr. Loyeauté. The lower House

²³³Colonel Francis Lightfoot Lee.

has resolved to allow that Gentⁿ £450 pr Ann. as director of a military academy to teach Gunnery & Fortification. The senate has not yet agreed to it, I think they will in a few days, & then shall inform the Delegates of it. The Express will stay no longer.²³⁴

Y^rc &c.

P. HENRY

To Richard Henry Lee.

GOV. HENRY TO THE SPEAKER OF THE HOUSE OF DELEGATES, GEORGE WYTHE.

(From W. W. Henry's "Henry," III, 116.)

WmsBurg, November 11th 1777.

Sir: Pay rolls for the Militia of Kentucky have been laid before the auditors, in order to obtain warrants for payment. The Auditors have scrupled to allow this militia the pay fixed by the law for those on actual duty, because they were obliged for their own personal safety and the security of their wives and children, to keep themselves in forts, and remain on the defensive against parties of Indians continually infesting that country, too numerous to permit the inhabitants to return to their plantations. The pay rolls are properly authenticated by the commanding officer under whose orders the men acted. In this state of the case, the advice of the Executive power is requested, and as I am in doubt on the subject, I am to pray Sir, to take the sense of the assembly on it. I am sensible that many instances have occurred similar to this, in which pay has been allowed, and I wish to put a stop to such a practice if it is wrong, and that no doubt of its rectitude may remain if it is proper. It may be observed, that 250 men have been ordered by the government from the more interior counties to that place for its protection, the time of whose arrival there I cannot ascertain. I have the honor to be.

Sir Y^r. Most humble Servant,

P. HENRY.

The Hon^{ble} George Wythe, Esq.,
Speaker of the House of Delegates.

(From Journal of the House of Delegates.)

Tuesday November 11.

Resolved, that it is the opinion of this committee, That the institution of an Academy, for the advancement of knowledge in Military Architecture and Gunnery, will be useful in this Commonwealth.

Resolved, that it is the opinion of this Committee, That the Governor be desired to communicate to Captain Loycautle²³⁵ the above resolution, and express to him, that it is the desire of the Houses of Assembly to employ his knowledge in such a way, as will be more

²³⁴For answer to this letter (referred to as of the 14th) see Ballagh's "Letters of Richard Henry Lee", Vol. I, p. 362.

²³⁵For testimonials of Capt. Loyeaute's antecedents and ability, see Ballagh's "Letters of Richard Henry Lee", p. 345, p. 364, p. 367 and p. 377.

extensively useful to the Commonwealth, than if confined to a particular command; and therefore to request, that he will be pleased to undertake the duties of the institution above mentioned, for which a salary shall be allowed of fifteen hundred dollars per annum, to commence from the time he accepted of this proposition, and that he be allowed the rank of colonel.

Resolved, that it is the opinion of this committee that the General Assembly will make good the engagements of the delegates of this Commonwealth in Congress, to defray the expenses of Capt. Loycaute,

Thursday November 13.

James Madison²³⁶ was chosen a member of the Privy Council in the place of Thomas Adams.

Friday November 14.

Resolved, that it is the opinion of this committee, That one uniform rule of law is to be applied to all the citizens of this Commonwealth, that the act of Assembly, "providing against invasions and insurrections," has pointed out the occasions of calling out the militia into actual duty, the mode of doing it, and of ascertaining and certifying their services; that if the directions of the said act have been observed in the case of the militia of Kentucky, mentioned in the Governor's letter, they are entitled to receive their pay; and, therefore, that the auditors should proceed to examine their accounts and that the Governor be advised to direct the same accordingly.

(*From Virginia Gazette, November 14.*)

James Madison, Esq; the younger, of Orange, is elected a member of the Privy Council of this State.

(*From Journal of the Council.*)

Saturday November 15th 1777

It appearing to the Council, that it is necessary there should be an Agent for this State at Charles Town, for assisting & directing such of the Vessels belonging to the Commonwealth, as may happen to put in there, and also for purchasing such Commodities as this State may from time to time have Occasion for, & in general to do whatever he may judge for the Interest of this Country in Relation to the above Particulars- they advised his Excellency the Governor to appoint Maurice Simonds Esquire to that Office & inform him thereof by Letter.

²³⁶James Madison, son of the president of the county court of Orange, was born March 16, 1751. In 1769 he went to Princeton College, and for some time after his return continued the life of a student. In 1774 he was a member of the Revolutionary Committee of his native county, and in 1776 was elected a member of the May Convention. It was on his motion that the word "toleration" was struck from George Mason's draft of the Declaration of Rights, and the word "freedom" inserted in its stead. Madison continued a member of the Executive Council for a period of two years, at the end of which time he was elected to Congress. In this latter body he began the work which led to a new constitution and the granting of national powers to the Federal government. His further career, culminating in his occupation of the presidency for two terms, is matter of National record.

GOV. HENRY TO GEORGE WYTHE, SPEAKER OF THE HOUSE
OF DELEGATES.

(From Va. State Archives, Ex. Com.)

Nov^r 18th, 1777.

Sir.

An Estimate of the probable Expences of the current Year²³⁷ is here inclosed. It is as accurate as I can possibly make it. I have the Honor to be

Sir,

Your most obedient Servant

P. HENRY.

The Hon^{ble} George Wythe

Speaker of the House of Delegates

[Endorsed:] Letter from the Governor Nov: 18th 1777 inclosing estimate of expences for the Current Year.

Ref^d to Committee of the Whole on Supply.

(From Journal of the House of Delegates.)

Monday, November 24, 1777.

The Speaker laid before the House a letter from the Governor, enclosing two letters from General Washington, together with a return of the Virginia regiments of this State in the continental service.

Tuesday, November 25.

The House resolved itself into a committee of the whole House.

Resolved, that it is the opinion of this committee, That the Governor and Council be empowered to appoint commissioners, in any part of this Commonwealth, to seize for the use of the army, all proper woollens, linens, shoes, and stockings, which shall be found in the possession of any person having purchased the same in any part of the United States of America, for sale; to have such goods valued by sworn appraisers, and to draw upon the treasurer for the amount of the value; and that such part thereof, as shall be applied to the use of the troops, in continental service, be charged to the United American States.

Resolved, that it is the opinion of this committee, That the Governor be desired to recommend it to the lieutenant, or commanding officer of each county, within this Commonwealth, to request of the inhabitants of his county, one pair of shoes, stockings, gloves, or mittens, for each soldier raised by the county and now serving in the continental army; for the payment of which he shall draw upon the public treasurer, who is hereby empowered to answer the said draught.

Resolved, that it is the opinion of this committee, That the Governor and Council be desired to give proper directions to the deputy quartermaster general, to have the articles for the army, when procured, conveyed with the greatest expedition to General Washington.

²³⁷Laid before the House the same day,

Ordered, That the said letter and estimate, be referred to the committee of the whole House, on the motion "that a supply be provided for the public exigencies."

(Journal of the House of Delegates.)

Thursday, November 27.

Ordered, That the Governor be desired to direct the commanding officer of the troops of this Commonwealth, stationed in and near the city of Williamsburg, to review them at that place, on Saturday next.

Ordered, That the Governor be desired to direct the commanding officer of any of the militia companies in the counties of Botetourt and Augusta, who may have returned from the late western expedition, to retain and take care of all tents, camp-kettles, or other necessities, for marching troops, not being private property, until further orders; and that he be also desired to write to General Hand, and request him to permit such of them as belong to the United States to be delivered to the volunteers now raising in this Commonwealth, to reinforce the continental army.

*(From Journal of the Council.)*Saturday November 29th 1777

The Council having at the Governors request taken into their Consideration the present State of the Trade carried on by this State, and the alterations that may be made in the method of prosecuting it for the future, have greed upon the following Mode as the best to be adopted: that is to say,

That all the Vessels of this State, at present employed in the European Trade, be sold on their arrival at Nantz with their Cargoes, and the produce laid out in such Goods as we may want, & shipped in French Vessels to Cape Francois, there to be delivered to our Agent & by him shipped in Pilot Boats, ordered to the safest Ports to the Southward of our Capes, Except a Sum sufficient to purchase & fit out one small swift Sailing armed Vessel to be manned with the Crews of our Vessels & to cruise from Nantz to Cape Francois there to receive further orders.

If such a Vessel is not to be had, the Crews may either Ship themselves on board American Cruisers, or be sent passengers to the West Indies, at their Election, & if the latter they may assist in navigating our small Vessels from thence.

That we endeavour to establish a Credit in France for whatever Goods we may want in future, to be shipped in French Vessels & as French Property, to Cape Francois, & reshipped there in our swift sailing Boats engaging to pay for the said Goods by shipping Tobacco sufficient for that Purpose in any Vessel our Correspondents may send for it, for which we would allow a generous freight, and have it insured if Insurance can be made at twenty five per Centum.

That a proper Agent be appointed in France to negotiate this Business who shall be directed to request Messieurs Franklin & Deane to use their Interest with the Ministry or Merchants of France to effect our purposes if necessary.

If the necessary credit for this plan cannot be established, then that so much of the Produce of our Vessels as is requisite shall be laid out in Salt to be sent in two good French Vessels of a moderate burthen

to be chartered from Nantz to Virginia for that purpose & for carrying back a load of Tobacco.

If any difficulty should arise in this from the risque and insurance on these Vessels cannot be made in France for twenty five Per Centum, then the State will stand Insurers of them at that Premium.

That Six swift Sailing Vessels to carry about thirty or forty Hogsheads Tobacco each (or the best we have or can procure), be kept constantly running from Albemarle Sound to Cape Francois with Tobacco, or any other more profitable Cargo, to be always kept ready for them, to be shipped to our Agent in the Westindies & either sold by them there or shipped to France in French vessels as he may find best.

That our Agent always keep a Stock of such Articles as may be procured in the West Indies, such as Salt, Rum, & Molasses by him, to be sent in our Boats when there is room for them & that he be also directed to Charter French Vessels to bring Salt to this Country and carry Cargoes back, either to the West Indies or Europe as he can best agree, and to allow that these Vessels may come at the risque of this State if they cannot be got otherwise.

And the Governor is advised to appoint William Lee Esquire,²³⁸ late Alderman of London, now resident at Nantz Agent for this State at that Port, to superintend and direct the Trade of this State, and to write to him on the subject requesting him to give the preference to J Gruel & C^o ^{238½} as our agents there, so long as they will furnish us with necessaries on as good Terms as others. And the Governor is further advised to give directions to our Agent here to conform in all his Transactions to this Resolution & write to Gruel & C^o informing them that they are to follow M^r Lees directions. All which his Excellency orders accordingly.

²³⁸William Lee, seventh son of Thomas and Hannah (Ludwell) Lee. Born at "Stratford", Westmoreland Co., Aug. 13, 1739; appointed commercial agent of the United States in France, April 21, 1777; in September of the same year he represented the government at Berlin and at Vienna; in 1778 negotiated a loan for the American Colonies in Holland; died June 27, 1795; buried in the churchyard at Jamestown.

^{238½}A letter of October 17th, written from Nantes by Pliarne, Penet & Co. to Wm. Aylett, runs as follows:—"This is just to Inform you we have dispatched your Two Vessels ye Congress and Liberty we likewise contracted with Mr. John King in behalf of State which we shall send very soon as you'll be informed per same Opportunity by Letter from J. Gruel & Compy you'll please observe that we are the Persons mentioned in ye said firm and ye reason of our names not being explained was on acct of Mr. Pliarne being in America and myself P. Penet being Obiged to go to Germany to procure some Artillery for ye United States and other things which I've effected and shall send ym as soon I receive ym from ye Manufactories; but for ye future I shall rest here constantly and overlook ye Affairs myself so that any Vessells you may send from your State shall meet with every kind of Dispatch."—*Tyler's Quarterly*, I, 151.

A letter of November 26 from Wm. Aylett to William Lee announces the arrival in Virginia of "a valuable supply of Goods, per our Sloop Congress."—*Tyler's Quarterly*, I, 155.

JOHN PAGE, LIEUTENANT-GOVERNOR, TO WILLIAM LEE,
AGENT FOR VIRGINIA IN FRANCE.

(From Virginia State Archives.)

Williamsburg, December 2^d, 1777.

Dear Sir

You will not take it amiss that the first Letter you have received from me since you left Virginia is of public Nature, when I assure you that prior Engagements prevented me from indulging my wishes whilst you were in England, & Engagements of infinitely more Importance have engrossed my attention so much since your Residence in France, that it was impossible I could address you even now, but on the public Account. I had the Honor to be appointed one of a Committee to procure a great Seal for the Commonwealth of Virginia: but having been disappointed in every Attempt I could make to procure one in America, I at length determined to endeavour to import one from Europe. I shall therefore be extremely obliged to you, if you will assist me in this Business. I suppose I need send no other directions than the vote of the House respecting it, as any Instructions I can give would be unnecessary to such able Artists as may be found in Paris.

The Expence attending this Business may be defrayed out of the public Money in the Hands of Messrs. J. G.....l & Co. of Nantes, arising from the Sale of the Vessels & Cargoes of the Commonwealth, or by drawing on the Treasurer of Virginia, as you may like best.

Before this can reach you, the News of Burgoynes' Convention & the glorious stand made by our Forts & Gallies on the Delaware, will I suppose be generally known in Europe. The last accounts we have from Camps, say that Fort Mifflin, after a long & glorious struggle & having all its guns dismounted, was evacuated on the 15th Ult. but that Fort Mercer on the Jersey Shore & the Gallies remained to defend the Prizes. That Gen'l Clinton had arrived in the Delaware from New York, and was to attack Fort Mercer on the 20th with 3000 Men; but as the Garrison was 1500 & the Jersey Militia with Col. Morgans Corps of Light Infantry not far off, it was hoped that Clinton would meet with Count Donops' Fate, who had taken & lost 500 men killed & wounded in one assault upon that Fort on y^e 23d Nov'r.

General Washington had confined Howe within his Lines between the Delaware & Skuykill & was waiting for Reinforcements from Gen'l Gates' Army. If the Enemy cannot get their ships up to Philadelphia before Gen'l Washington receives his Reinforcements & can procure shoes & stockings for his men, I make no doubt that Howe will be obliged to submit to be in Burgoynes' Condition. If France ever intends to make War on England, now is her time. For England will certainly be disposed to offer America Terms before this Campaign is over, or America may be induced to come to Terms before the next will be finished.

The Motto on one Side of ye Seal I have often laughed at & you will probably be at a loss to find what could give rise to it- but I can assure you that whoever proposed it, seems to have possessed a prophetic Spirit, for our Situation in Virginia ever since the Motto was

agreed to, might well justify our saying "*Deus nobis haec Otia fecit*"—As I have taken up so much of your time already, I will intrude no longer on you at present, but will conclude, after begging your Pardon for troubling you with what may prove a disagreeable piece of Business & a long letter at the same Time.

I am D'r Sir, your affectionate h'ble Serv't.

P. S.— Please to give me directions where to address a Letter to your Brother the Doct'r & in the mean time present my Love & best wishes to him.

J. P.

"Wm. Aylett, Esq'r, Agent for this Commonwealth, will direct Messrs Gruel & Co. to pay into your hands the Cost of the Seal, and they will send it to Virginia in the manner they send other things for the use of the State."²³⁹

(Enclosure)

(From Journal of the Council.)

Wednesday December 3^d 1777

Thomas Smith Esq^r²⁴⁰ agreed with the Governor & Council to act as Agent for carrying on the Trade of this State, in the room of William Aylett Esq^r who hath resigned, as follows,

He is to purchase, charter or otherwise procure proper Vessels for carrying on the said Trade & to provide all necessities for fitting out the Vessels which may be employed on any Voyages & to procure proper Cargoes for them to attend to their being shipped & give proper sailing orders— to write all Letters & give all necessary directions for the importation of such Goods & Merchandize as he shall be directed by this Board, & to purchase any necessities, that may be wanting for the State, when required; and M^r Smith further agrees diligently to attend to the Business of this State in every respect, & to employ all his time for that purpose, if it shall be found necessary, & that he will not undertake or transact any business for himself or any other Person that can possibly interfere with his Engagement aforesaid or any Business whatsoever without the consent of this Board— that he will not employ Assistance to transact any part of this Business that he can attend to himself; & that he will render a fair & just account of all his transactions, and a State of the Trade under his Management when thereto required. In Consideration of which Service this Board agree to allow M^r Smith at the Rate of Three hundred Pounds current Money per

²³⁹In the letter book of Thomas Smith (Virginia State Archives) is the following letter dated March 13 from Smith to William Lee:—"I observe a Copy of a letter from the last Agent of the 11th December last addressed to you in which he countermanded the Orders given by the Honble John Page Esqr. for a great seal for the use of this State. I beg leave to say Colo Aylett was rather remiss in the affair. It's therefore requested by his Excellency the Governor and his Honble Council, that you will please to procure such a seal as has been before described and send per the earliest opportunity that may offer."

²⁴⁰The letter book of Thomas Smith, agent, is preserved in the Virginia State Archives.

annum for so long Time as he shall continue to act as Agent in manner aforesaid, & that exclusive of all reasonable Expences of himself, one Servant, Necessary Horses & the Wages & expences of all Assistants that he shall find it absolutely necessary to employ. And M^r Smith is desired to receive of Colonel Aylett all Books Accounts & other Papers relative to the said Trade carried on by him (the s^d Aylett, on public Account.-

The Board agreed with William Armistead J^r Esq^r to Act as Commissary of Stores for this State whose Business it shall be to receive all Goods & other necessities that may be imported or purchased for the use of this State and to purchase all such other Articles as may be wanted from time to time & to deliver them out in such manner as shall be found necessary, & to do every thing in his power for preserving the Stores that may come into his Possession, which M^r Armistead agrees to do & to employ all his time & attention in the Business aforesaid if needful and that he will not for himself or any other Person engage in or transact any business that can possibly interfere with his public employment or any other Business whatsoever without first obtaining the consent of this Board, & that he will follow all such Directions as he may from time to time receive from this Board relating to the said business & render a just & fair account of all his transactions when thereto required. In consideration of which M^r Armistead is to be allowed at the Rate of Three Hundred pounds current money per annum for the Time he shall act as Commissary in manner aforesaid & that exclusive of all reasonable Expences of himself one servant & the wages and Expences of such Assistants as he shall find it absolutely necessary to employ.

GOV. HENRY TO GEORGE WYTHE, SPEAKER OF THE HOUSE
OF DELEGATES.

(From Va. State Archives, Ex. Com.)

Sir.

Dec^r 5th 1777-

I beg Leave to communicate to the General Assembly, the Resolutions of Congress²⁴¹ & the Letter from M^r Laurens²⁴², which accompany this²⁴³. I also inclose you a Letter from General Washington & have the Honor to be,

Sir,

Your most obedient Servant

P. HENRY.

The Hon^{ble}

George Wythe Esq^r

Speaker of the House of Delegates

²⁴¹On November 20 Congress considered a lengthy report on the subject of conditions at Detroit and at Fort Pitt etc. See "Journals of the Continental Congress," Vol. IX, p. 942 *et seq.*

²⁴²On November 1 Henry Laurens, vice-president of South Carolina, had been chosen, by a unanimous vote, to succeed John Hancock as President of Congress.

²⁴³The above letter was laid before the House of Delegates the same day. Ordered, That the said resolutions and papers be referred to the committee of the whole House, on the letters from the Governor, which, with several other papers, were ordered to lie on the table.

GOV. HENRY TO GEN. WASHINGTON.

(From W. W. Henry's "Henry," III, 129.)

Williamsburg, 6 December, 1777.

Sir: Inclosed I have the honor to transmit you an account of necessaries sent off in nine wagons, for the Virginia regiments in Continental service. The goods have been delivered to Colonel Finnie,²⁴⁴ the quarter-master, and he has put them under the escort of Lieutenant Mennis and a party of soldiers, who, I trust, will deliver them safely. It is my wish that the troops of Virginia shall have them. I also send a list of some other articles, chiefly linens, that will shortly set out from our public store, for the same uses.

Added to this supply fifteen thousand pounds worth of woollens, &c., proper for the soldiers, will set out from Petersburg in a few days. These last are procured under an act of Assembly, empowering me to seize necessaries for our troops wherever they may be found. I have given orders, in consequence, to proper persons in different parts of the State, which I expect will produce many necessaries, if not enough for Virginia troops. Orders are sent to both Carolinas for blankets, particularly, and soldiers clothes; and nothing, possible for me to effect, will be left undone, in getting whatever the troops are in want of.

I should be more particular as to the goods seized, but the Commissioners have as yet sent me no distinct account of their proceedings. If it happens that the wants of your army are supplied in any short time, I beg to know it, that the execution of the present law for seizing goods may be stopped. I take the liberty to send under cover to your Excellency, two letters from France to the Marquis de la Fayette. One of them is from his lady, I believe. I beg to be presented to him in the most acceptable manner. I greatly revere his person and amiable character.

The lenity of your publications respecting deserters is very apparent. But nevertheless, a great many of them are yet skulking on the Eastern Shore, and really I think their case peculiar. Their officers took up the general opinion that their service would be confined to that shore, and promised them to remain there. Their desertion followed upon orders to march away. I beg leave to observe, that if your Excellency would offer them a pardon upon their enlistment to serve this State, it would forward the general service by enabling us to spare so many more troops for the Grand Army. I beg leave to assure you of the highest esteem and regard, with which I have the honor to be, Sir, your Excellency's

Most obedient and very humble servant,

PATRICK HENRY.

His Excellency George Washington.

²⁴⁴William Finnie, colonel and dep. quartermaster-general of the Southern Department, from March 28, 1776, to the close of the war.

*(From Journal of the Council.)*Monday December 8th 1777

John King esquire²⁴⁵ who is just arrived from Nantz, informing the Governor that many Vessels may be shortly expected here laden with the Commodities which are most necessary for the Army, & that for their greater safety he had appointed certain Signals on Cape Henry for conveying to them the Situation of the Enemy's Ships viz. four distinct Fires when it will not be prudent to come into the Bay at all, three when the Enemys Vessels are high up the Bay, & the Trading Vessels can come safely into James River only, and two when the Bay is quite clear of the Enemy, His Excellency with the advice of the members present, wrote to Colonel Walker Lieutenant of the County of Princess Anne, directing him to have Huts, or some accomodation of that kind erected near the Cape, for the reception of a Guard, & that he employ any number of his Militia not exceeding twenty men, with reasonable Reliefs, to do constant Duty there, keep up the Fires as above proposed & give all possible assistance to such friendly Vessels as may be obliged to run ashore in order to evade the Enemy.

Tuesday December 9th 1777

The Governor with the advice of Council wrote Letters to his Excellency General Washington, Generals Woodford, Scott, Weedon & Muhlenburg on the subject of reinlisting the nine old Battalions raised by this Commonwealth for Continental Service, which Letters are recorded at large in the Letter Book.

GOV. HENRY TO GEN. WASHINGTON.

*(From W. W. Henry's "Henry," III, 130.)*W^msb'burgh Dec^r 9th 1777.

Sir: An act of the general assembly passed last year empowering me to appoint some proper person to reinlist the Virginia Troops. I did appoint General Stephen, & several Letters past between us upon the subject, and by an Extract of a letter from him to me, which I inclose, it appears considerable progress was made by him in that Business.

I have heard that General Stephen²⁴⁶ is no longer in Service; and I trouble your Excellency with this, requesting the favor of you to be pleased to give me, as soon as possible, a state of the Inlistments that are made of those Troops, that some means may be thought of for supplying such Deficiency as may happen by the refusal of some of the

²⁴⁵In a letter of Richard Henry Lee (dated 30th June 1777) to his brother Arthur Lee, then Commissioner from the American Congress to the Court of Spain, occurs the following:—"This letter goes by a Mr. John King of Hampton Merchant, a Gent. of reputation here [in Virginia], and who goes to France on commercial motives, he sails in a swift going Vessel that probably cannot be taken * * *." Ballagh's "Letters of Richard Henry Lee", Vol. I, p. 307.

²⁴⁶Gen. Stephen had been dismissed on November 27th.

men to reinlist. In the mean Time, in order that the Business may not be totally stopped, I have written to Generals Woodford, Scott, Weedon, & Muhlenburgh, to proceed in finishing so much of that Work as General Stephen left unfinished.

As this matter is of great Importance to the service, I wish for its completion very much, and should be obliged to your Excellency to inform me whether you think any other plan can be adopted more likely to succeed.

I was honor'd with a confidential Letter from your Excellency for which I return you my Thanks.

Perhaps if the state of the Virginia Regiments was known to the Assembly it might induce some Measure for recruiting them. With the highest Regard I have the Honor to be,

Sir,

Your Excellency's most Obedient & very
humble servant,

P. HENRY.

His Excellency General Washington.

(Enclosure)

Extract of a Letter from General Stephen to his Excellency the Governor of Virginia, dated Chatham April 12th 1777.

"I have inlisted all the Virginians as far as my Money went. Applied to General Washington for some for that purpose, his Excellency Sent me Word he would send it in a Short Time."

(From Journal of the House of Delegates.)

Wednesday December 10, 1777.

The House resolved itself into a committee of the whole.

Resolved, that it is the opinion of this committee. That the Governor be empowered, with the advice of the Council, to order such part of the militia of this Commonwealth as may be most convenient, and as they shall judge necessary, consistently with the security of this Commonwealth to act with any troops on an expedition that may be undertaken against any of our western enemies.

(From Journal of the Council.)

Wednesday December 10th 1777

The Board being informed that Col Aylett Continental Commissary of Provisions, has directions to purchase a large Quantity of Salt, which in case he should attempt to make in this State must greatly enhance the Price of that necessary Article in the present scarcity & add to the present Distress of the Inhabitants, This Board advise the Governor to desire Colonel Aylett not to attempt to purchase any Salt within this State until the present Distress of the Inhabitants is relieved, but to exert his utmost endeavours to purchase what he may want for Continental use in South Carolina, & to direct him to give his Excellency as early an account of his proceedings in this matter as possible that in case of failure in procuring the Quantity of Salt wanted for Continental use, this Board may give him all the Assistance in their power.

Friday December 12th 1777

The Governor laid before the Board a Letter which he had prepared to the Virginia Delegates in Congress, on the Subject of Goods seized in this State agreeable to Act of Assembly²⁴⁷ for the Continental Army &c and the same being read was approved of & ordered to be recorded.

GOV. HENRY TO GEORGE WYTHE, SPEAKER OF THE HOUSE OF DELEGATES.

(From Va. State Archives, Ex. Com.)

Dec^r 11th 1777.

Sir

I enclose you a Resolution of Congress respecting the nine Virginia Regiments in the grand Army. I have lately understood that General Stephen is no longer in Service. He was formerly empowered by me agreeably to an Act of Assembly, to reinlist the Soldiers composing those Regiments²⁴⁸, & for Information of the Progress made in that Business I beg Leave to refer to Extracts of three Letters I rec^d from that Gentleman, & which I sent to the last general Assembly. In order to continue the Inlistment of these Troops in the Manner most likely to succeed, I have appointed the Generals Woodford, Weedon, Scot, & Muhlenburgh to conduct it, & have apply'd to his Excellency General Washington for a State of General Stephen's proceeding therein which I shall lay before the Assembly when I receive it. With great Regard I have the Honor to be

Sir
Your most humble
Servant

For

P. HENRY.

The Hon^{ble}

George Wythe Esq^r

Speaker of the House of Delegates-

(From Journal of the House of Delegates.)

Friday, December 12.

Resolved, That the Governor and Council be desired to procure, with all convenient despatch, twenty thousand stand of good arms for the use of the militia of this Commonwealth; which shall be lodged in different magazines kept ready for service upon all occasions.

²⁴⁷Hening, IX, 375-377.

²⁴⁸On Wednesday, November 26, the Board of War brought in a report to Congress, which was taken into consideration: Whereupon,

Resolved, That it be recommended to the commonwealth of Virginia, to appoint proper persons to re-inlist the soldiers of their first nine regiments, whose times of service are near expiring, and, in failure thereof, to take some speedy and effectual course for supplying their places in the continental army; and Congress agree to allow the men inlisting for the war, or three years, the usual bounty given to such recruits. Journal, Vol. IX, p. 967.

GOV. HENRY TO WILLIAM LEE.

*(Va. State Archives, Ex. Com.)*Virginia December 13th 1777.*Sir*

The several methods we have hitherto taken for Supplying the army and Navy of this State with necessaries have proved ineffectual for that purpose & we are at present without a probability of being more effectually supplied in future. I have therefore on behalf of this State with the advice of the Council adopted the following plan, to be pursued in future. We propose to send all the vessels we are able to fit out proper for the European Trade to Nantz loaded with Tobacco where we shall direct both Vessels and Cargoes to be sold, & the produce after purchasing and fitting out one swift sailing armed Vessel to be laid out in the necessaries we want, to be shipped in French Vessels and as French property to Cape Francois & there reshiped in swift sailing Pilot Boats which we shall provide to some of the safest Ports to the Southward of our Capes, but as from the scarcity of Vessels and Seamen here it will be impracticable by this method to export commodities sufficient to purchase all we may want, we propose to endeavour to procure a Credit with some Merchant in France, for what may be further necessary to be shipped in the same manner, and to the same place for which we propose to pay, by shipping Tob^o on our own Account in any French Vessels, they may charter for that purpose, we propose to have such chartered Vessel loaded with Salt at Nantes, on our account also, and expect to pay a generous freight, both for the Salt delivered here & for carrying the Tob^o to Nantz, & to have them both ensured if it can be done, at a reasonable premium. We further propose to export what produce we can in our small Vessels to Cape Francois, and to direct our Agent there to charter such Vessels as he can to bring Salt here & carry Tobacco from hence either to Cape Francois, or to Nantes as he can agree which will be added to our remittances after purchasing the few necessaries we may want in the West Indies; but as 'tis necessary for rendering this method effectual, that we should have a proper agent at Nantz to act for us, & being lately informed of your residence there I have with the advice of the Council, thought proper to appoint you agent for this State to superintend and direct all our affairs in France, & on our behalf to enter into any Contract, or agreement necessary for effecting our purposes, not doubting but your zeal for the cause of Freedom and regard for this your native Country, will be sufficient inducements for you to exert those abilities you are so well known to possess and all your endeavours for our service; I make no doubt but you may readily procure any assistance in the Power of Mess^{rs} Franklin & Dean and hope you will avail yourself of it as far as it is necessary; I should hope the trade of this State thus confined to certain Ports would be an object worthy the attention of the French Ministry, who might easily afford it some extraordinary protection; our mercantile transactions at Nantz have hitherto been confined to the House of Mess^{rs} J. Gruel & C^o who I wish still, to have the preference in that way provided we can certainly be supplied by them on the terms we pro-

pose, or on as good as any others offer, to them we shall continue to address our Vessels until we hear from you, and shall give them notice of your appointment as our Agent, & the terms on which we expect to be supplied in future, and direct them to apply to you for instructions in whatever they may be at a loss, & to follow such directions as you may think necessary to give them respecting any of our affairs. I must beg the favor of you to make the necessary engagements for supplying us with them, or any other person you think proper as soon as possible, and give me the earliest notice of it, & attend to their execution. I am Sir Your Hble Servant

P. HENRY.

P. S. Since writing the within it has been reported to the Council that the Brigg Greyhound is a very swift sailing Vessel upon which they have determined that she had better return here with a load of Salt, than be sold. It also appears that Mess^{rs} J. Gruel & C^o have agreed with M^r John King (who had powers from this State to make the Contract) to furnish them with a quantity of Goods, to be shipped on their account and that another House have agreed to send a Vessel loaded with Salt for the use of this State which shews that Contracts of the nature we wished, may be made at Nantz, these contracts we hope to comply punctually with, & that it will always be in your power to make such others as necessary for us. Mess^{rs} J. Gruel & C^o have without any direction from us, fitted out the Brigg Liberty as an armed Vessel, & altho she may be improper for it, yet it makes it unnecessary for us to have another you will therefore be pleased to disregard our request for having one fitted out.²⁴⁹

P. HENRY

Letter to William Lee

²⁴⁹The following letter from William Lee to Governor Jefferson throws much light on the sequel to transactions planned in the above letter of Governor Henry.

Frankfort in Germany Sep 24th 1779

Sir

His Excellency Governor Henry was pleased in 1777, with the advice of the Council, to appoint me Agent in France for the State of Virginia & in 1778 by the same authority he sent me a power under the State Seal to obtain Arms, Artillery, Ammunition &c of his Most Xtian Majestys Ministers or any other person to the amt of 2,000,000 of Livres, or to borrow money to that amt. to purchase those articles with Invoices for which were sent by the Governor for the Artillery Arms & Ammunition by Mr. Smith the State Agent in Virginia for the linnens, Woollens & other merchandize; & by Mr. Webb the Treasurer for paper & printing materials. These Documents came to me last year when I was at Vienna in the Public Service where I was fortunate enough to prevail with the French Ambassador at that Court, to solicit the Court of Versailles to grant us the Artillery, Arms and Ammunition & I also sent a power to my Br. Mr. Arthur Lee who was then at Paris to solicit the business for me at the Court of Versailles, & to try what cou'd be done in France towards procuring the other Articles. In consequence of these measures there was obtain'd from the French Ministry, Cannon, Mortars, Ball, Bombs &c to the amt. of £219,489, & my Br. advanced the money for the purchase of swords, pick axes, hatchets &c, which with Capt. Le Maires & other expences amounts to about the sum of 45,000 Livres. My Brother charter'd vessels to carry these articles to Virginia & I believe they all were ship'd in the Governor Livingston Capt.

(From Journal of the Council.)

Saturday December 13th 1777

The Governor laid before the Board a Resolution of the General Assembly of the 27th of last Month which was this Day delivered to him desiring him to recommend to the Lieutenant or Commanding Officer of the Militia of each County within this Commonwealth to request of the Inhabitants of their County one pair of Shoes, Stockings Gloves or Mittens for each Soldier raised by the County & now serving in the Continental Army & his Excellency desired the Advice of the Board how y^e said Resolution may most speedily & effectually be notified to the said County Lieutenants. The Board considering that it is too late to have the same inserted in this Weeks Paper do advise the Governor to have y^e said Resolution immediately printed in hand Bills & sent by the first Conveyances that offer to the several County Lieutenants requesting them to comply therewith and they also advised that the same be published in the next Weeks Gazettes.

(From the Draper Manuscripts.)

[15zz13-14. Printed broadside, signed]

Williamsburg, December 13, 1777.

The following Resolution of the General Assembly, received by me this Day, is of so important a Nature to the Welfare of our Soldiery, and consequently to the grand Interests of *America*, that I cannot too warmly press it upon the Attention of the good People of this State in general, and of the several County Lieutenants in particular.

I am, Sir,

Your humble Servant

P. HENRY

Gale & the Hunter Capt. Robins. He also made a contract with Messrs Penet D'Acosta freres & Compy. of Nantes for several thousand stand of Arms & some other Articles which they contracted to ship from France by the last of Sept. 1778, on the same terms which Mr. John King had agreed to in Octr. 1777, with these Gentlemen under the firm of Jas. Gruel & Co for sundrie articles for the State. No part of the contract made with Mr. King was ever complied with; nor was any part of the contract made with my Br. complied with, which I now think a fortunate circumstance having lately had authentic information, that several thousand muskets, were in the course of last year sent from Leige to Nantes address'd to a clerk of that house, which were of such a base quality as to cost no more than \$5 a peice. I hope none of these guns will ever reach Virginia. Truth obliges me to say, that I have always found this house extremely ready to engage but never so to execute. My Br has given Governor advice from time to time of his proceedings & now he writes me that he has no more money to advance & the owners of the Ships in which the goods were ship'd are in extreme want of the money for the freight which amounts to about 27,000 Livres.

Having no money myself to pay this freight with, we shall be greatly distress'd unless you are good enough to hasten some remittances either in Bills or American produce which I most earnestly request of your Excellency to have done. 'Tis necessary that I should inform you of what my Br. has before advised Govn. Henry viz, that the French Ministry did last Spring demand payment for the Cannon &c furnish'd by them, but on its being represented to them that we were utterly unable to make this payment & that the State had not had time to make the necessary remittances they agreed to wait some time longer. * * * *

IN GENERAL ASSEMBLY, *November 27, 1777.*

Resolved, that the Governour be desired to recommend it to the Lieutenant or Commanding Officer of each County within this Commonwealth to request of the Inhabitants of his County one Pair of Shoes, Stockings, Gloves, or Mittens, for each Soldier raised by the County, and now serving in the Continental Army, for the Payment of which he shall draw upon the public Treasurer, payable one Month after Date, who is hereby empowered to answer the said Draught; and that the said Lieutenant or Commanding Officer shall, by some safe Conveyance, and in due Time, transmit to the Treasurer a List of the Sums for which they shall have drawn Orders, together with the Names of the Persons in whose Favour they were drawn, for his more certain Information.

JOHN TAZEWELL, C. H. D.
JOHN BECKLEY, C. S.

GOV. HENRY TO THE COUNTY LIEUTENANT
OF BOTETOURT.

(From the Draper Manuscripts. 15zz15.)

Sir

You are forthwith to cause on hundred men of your Militia to Garrison Fort Randolph at the mouth of the Great Kanhawa under proper officers. They are to do Duty there until they are relieved by a like Number of Regulars which are now to be raised in the part of the Country lately West Augusta The Continental Commissary has orders to supply them with provisions. I am

Sir

Y^r mo. hble Ser^t
P. HENRY J^r

Coty Lieut^s of
Botetourt

[Endorsed (by L. C. Draper):] Gov. P. Henry- (probably close of '77) orders 100 men from Bottetourt [*sic*] to garrison F^t Randolph

(From Journal of the House of Delegates.)

Tuesday, December 16.

House resolved itself into a committee of the whole.

Resolved, that it is the opinion of this committee, That the Governor be empowered, with the advice of the Council of State, to stipulate with Monsieur Bory on the terms he proposes, or any others more advantageous to the Commonwealth, for a battalion of troops, to be brought from abroad, to consist of not less than eight nor more than ten companies, of sixty-eight men, rank and file, each, with proper officers, to be subject to act in any part of America, either in the service of the Commonwealth or of the Continent, as shall be directed by the legislature or executive powers of this Commonwealth; and that the Governor and Council be desired to have the government and discipline of the

said troops previously ascertained and rendered as conformable as possible to that of the continental troops.

Resolved, that it is the opinion of this committee, That the Governor and Council, in removing suspected persons at the time of the late invasion, consulted the safety of the State, and ought to be indemnified for the same.

Resolved, that it is the opinion of this committee, That the Governor and Council, in draughting a detachment of the militia of this Commonwealth and marching it to head quarters in the neighboring state of Pennsylvania, actually invaded by a foreign enemy, have acted according to the laws of this Commonwealth.

Wednesday, December 17.

From the committee of Propositions and Grievances.

Resolved, That so much of the said petition [of Dorsey Pentecost], praying that the persons recommended by the said court might be appointed field officers, is reasonable; and that the Governor and Council had no authority to appoint a county lieutenant for Yohogania, other than Dorsey Pentecost, who was at that time county lieutenant for the district of West Augusta, and resided in the said county.

GOV. HENRY TO RICHARD HENRY LEE.

(From W. W. Henry's "*Henry*," III, 133.)

W^msb^urg^h, Dec^r 18th, 1777.

I am favored, my dear Sir, with y^{rs} from Baltimore to-day, & with that from Potomack yesterday. The Governor of Maryland²⁵⁰ was requested by me, to send some Gallies to join two of ours, that had orders to prevent, if possible, the evil designs of the enemy on that River. The Assembly took up the subject & desired this plan to be prosecuted. I hope it will answer. Every one here seems persuaded that watering is their object in that Quarter.

I wish I could inform you of anything satisfactory on the subject of Mr. Loyeaute. I really did desire to serve him as you wished, & did recommend him in a public address to the Assembly, as well as confidentially to some. But General Washington's recommendation of Col^o Marshall stopped my mouth. His last proposition is now before the two Houses, & what its Fate may be I cannot tell. Time will not permit the discussion of many matters that wait, & have long waited for a decision. Can you think it? Not one law of importance is passed. It is resolved I hear not to adjourn for Xmas, but to remain 'til the Business is finished. In this suspense, when matters of vast concern are on the Tapis, your Friends will think the general interest of America, & the welfare of this state, call you here. I should think so too, did I not know that your whole time & attention have been bestowed on the

²⁵⁰In a letter from Gov. Johnson to Capt. Cook, December 21, the former states, "By a Letter from Governor Henry, we are informed he has ordered two of the best of the Virginia Gallies to Patowmack to act in concert with ours." "Archives of Maryland," Vol. XVI, p. 440.

American contest since its first beginning. Fine parts are seldom join'd to industry, & very seldom accompany such a degree of strength & toughness as your long combat with Torys required. I know how necessary a little repose is to you. 'Tis cruel to deny it. But I cannot help fearing that our country may date the Era of calamity at the time you are absent from the public councils. The Confederation is passed they say nem. con. though opposed by some who opposed Independency. This I hear, & I hear other things, tho' I shall forbear to enlarge, because I still entertain some hope you will be here to see & to hear for yourself, & by seeing & hearing, once more eminently serve the cause of Whiggism & your country.

I hear this Evening that Col^o Frank²⁵¹ has written some body in Town, that Gen^l Howe has marched to attack Gen^l Washington. I hope our encampment is well fortify'd. I've no news to write you, except that a Shawanese chief & 3 warriours are killed while on a visit at Point Pleasant, the fury of our people being ungovernable, on seeing the body of one who was slain by the Indians brought into the Fort-From the late intelligence a well grounded Hope seems to be deduced, that a French War must soon happen.

I beg you to be assured that with great affection I am,
My dear friend,
Yours ever,

P. HENRY.

To Richard Henry Lee, Esq., Westmoreland.

(From Journal of the Council.)

Saturday December 20, 1777

The General Assembly having recommended to the Governor & Council to procure with all convenient Dispatch twenty thousand Stand of Arms for the use of the Militia of this Commonwealth- The Board advise his Excellency to write to William Lee Esquire, Agent for this State at Nantz, desiring him to exert himself in carrying the same into effect by engaging with some Merchant in France to furnish the said Number of Arms as soon and on the best Terms that they can be procured, & as it is improbable that this State can be able to remit sufficient Property to France to pay for the said Arms so soon as they are wanted & may be engaged, to desire M^r Lee to endeavour to make Contracts for them to be delivered either at Cape Francois or in any of the Ports of this State or North Carolina, as he can best agree, to be paid for in Tobacco delivered here whenever it shall be demanded, in which Contracts M^r. Lee may either stipulate the Quantity of Tobacco to be given for each Stand of Arms or engage that the Tobacco shall be sold on our account in France as appears best to him & to inform M^r Lee that we shall at the same Time use every means in our power to remit property to Nantz & to the West Indies to pay for such as he may be able to procure on the Credit of this State & to the end the Contracts made by M^r Lee may be punctually complied with, the Governor is advised to direct M^r. Smith our Agent here to purchase a Sufficient

²⁵¹Francis Lightfoot Lee.

Quantity of Tobacco to make payment for such Arms & have the same ready to be shipped when necessary, & in the meantime to purchase & fit out any swift sailing Vessels conveying from thirty to fifty Hogsheads of Tobacco that he can meet with to be sent to our Agent at Cape Francois.

(Journal of the House of Delegates.)

Tuesday, December 23, 1777.

The Speaker laid before the House a letter from the Governor.

Wednesday, December 24.

Resolved, that it is the opinion of this committee, That the Governor, with the advice of the Council, is, by act of Assembly fully empowered to call the managers of the salt works in Elizabeth city to account, and draw on the treasury for such sums as they shall think necessary, for completing and carrying on the said works.

(Journal of the Council.)

Monday December 29th 1777

The Governor laid before the Board a Letter from Captain Nathaniel Burwell, Commander at Portsmouth, complaining of the neglect of the Commissaries in not supplying the Garrison with Flour & also a Letter from his Excellency to Colonel William Aylett Commissary for the Continental Train which Composes a part of that Garrison, reprehending him for his neglect & threatening, in Case of a Continuance of it, to represent his Conduct to Congress: And also communicating to the Board his Letter to Captain Burwell on the Subject of removing the present want of the Garrison- they are of Opinion that his Excellency has done every thing which the occasion required. And it is ordered that the Governors Letter to Captain Burwell be recorded.

Thursday January 1st 1778

John Marie Bory²⁵² appeared in Council & agreed with his Excellency to import a Regiment from the French Westindies, to be commanded by the said Bory, in the Service of this State upon the Terms expressed in the following Articles viz. first,

Fifty Dollars to be paid M^r Bory for every man he shall produce duly inlisted & fit for Duty as american Soldiers to serve during the War or five Years. this Money to be in lieu of Bounty & Subsistence to the Day of Landing. Second,

Pay and Rations the same as the American Officers & Soldiers receive to begin the Day of Landing. third,

The Non Commissioned Officers & Soldiers to be armed with a good Musquet & Bayonet with Cartouch Box & Belt at the Public Expence.

²⁵²Bory sailed for St. Pierre, Martinique, about two weeks later. He was there in March. See letters of Richard Harrison, agent in Martinique, to Thomas Smith, in Virginia State Archives.

The Captains & Subalterns to be armed with a fusee & sword at their own Expence. fourth, Virginia will pay to each non Commissioned Officers & Soldiers ten Dollars for Clothes. Whatever this Sum may fall Short of proper Clothes they must pay for by monthly stoppages out of their Wages- fifth

It is desired that M^r Bory shall arm the men & he shall be paid for them at the Rate other like Arms cost here now. Sixth

It is intended that M^r Bory shall on his arrival with his Corps & producing a proper account of the Cost of the Regimental Clothing, receive the full amount of what he shall have advanced for procuring the said necessary Regimental Clothing with a proper allowance for Risque & Charges, from the State, & the Stoppages aforesaid are to be made to reimburse the Public for what the Clothes exceed ten Dollars aforementioned. Seventh,

The Corps is to consist of Eight Companies composed of One Captain two Lieutenants & one Ensign, three Sergeants two Corporals One Drum & Fife. The Battalion to be Commanded by M^r Bory as Colonel one Lieutenant Colonel One Major and to be allowed a Chaplain Quartermaster Paymaster Sergeant Major Drum Major, & to serve in such parts of America as the Legislature or Executive Powers of Virginia shall direct.

Eight, The Discipline & Government of M^r Borys Regiment shall be after the manner of the Troops of France, except in Cases that concern Life. In these the American Articles of War are to be the Rule of Decision. The Officers of this Corps are to take Rank in the Same Manner as american Officers holding like Commissions.

Ninth. The Vessels belonging to this State will assist in their homeward Passage in transporting the Soldiers levyed for this Corps Other Vessels to compleat the transportation will be provided by M^r Bory.

Friday January 2^d 1778

The Governor informed the Council that he had had some Conversation with several Gentlemen who were well acquainted with the Western Frontiers of Virginia & the Situation of the Post at Kaskasky held by the British Kings Forces where there are many Pieces of Cannon & Military Stores to a considerable amount, & that he was informed the place was at present held by a very weak Garrison, which induced him to believe that an expedition against it might be carried on with Success; but that he wished the Advice of the Council on the Occasion.

Whereupon they advised his Excellency to set on foot the Expedition against Kaskasky²⁵³ with as little delay and as much Secrecy as possible & for the purpose to issue his Warrant upon the Treasurer for twelve hundred pounds payable to Lieutenant Colonel George Rogers Clark, who is willing to undertake the service, he giving Bond & Security faithfully to account for the same. And the Council farther

²⁵³This action of the Privy Council was approved by the General Assembly, which authorized the Governor, with the advice of the Privy Council, to organize an expedition, "to march against and attack any of our said enemies, . . . and give the necessary orders for the expedition." Henning, "Statutes at Large", IX, 375.

advised the Governor to draw up proper Instructions for Colonel Clark. His Excellency having prepared the Instructions accordingly, the same were read approved of & are as follows-viz

GOV. HENRY TO GEORGE ROGERS CLARK.

(From facsimile printed in W. H. English's Conquest of the Northwest, Vol. I, p. 96)

Virginia sc^t

In Council W^msburg Jan^y 2^d 1778

Lieut Colonel George Rogers Clark

You are to proceed with all convenient Speed to raise Seven Companies of Soldiers to consist of fifty men each officered in the usual Manner & armed most properly for the Enterprize & with this Force attack the British post at Kaskasky.

It is conjectured that there are many pieces of Cannon & military Stores to considerable Amount at that place, the taking & preservation of which would be a valuable Acquisition to the State. If you are so fortunate therefore as to succeed in your Expectation, you will take every possible Measure to secure the Artillery & Stores & whatever may advantage the State.

For the Transportation of the Troops, provisions &c. down the Ohio, you are to apply to the Commanding officer at Fort Pitt for Boats, & during the whole Transaction you are to take especial Care to keep the true Destination of your Force secret. Its Success depends upon this. Orders are therefore given to Captⁿ Smith to secure the two men from Kaskasky. Similar Conduct will be proper in similar Cases.

It is earnestly desired that you show Humanity to such British Subjects and other persons as fall in your hands. If the White Inhabitants at that post & the Neighbourhood will give undoubted Evidence of their Attachment to this State (for it is certain they live within its Limits) by taking the Test prescribed by Law & by every other Way & Means in their power, Let them be treated as fellow Citizens & their persons & property duly secured. Assistance & protection against all Enemies whatever shall be afforded them & the Commonwealth of Virginia is pledged to accomplish it. But if these people will not accede to these reasonable Demands, they must feel the miseries of War, under the direction of that Humanity that has hitherto distinguished Americans, & which it is expected you will ever consider as the Rule or your Conduct & from which you are in no Instance to depart.

The Corps you are to command are to receive the pay & allowance of Militia & to act under the Laws & Regulations of this State now in Force as Militia. The Inhabitants at this Post will be informed by you that in Case they accede to the offers of becoming Citizens of this Commonwealth a proper Garrison will be maintained among them & every Attention bestowed to render their Commerce beneficial, the fairest prospects being opened to the Dominions of both France & Spain.

It is in Contemplation to establish a post near the Mouth of Ohio. Cannon will be wanted to fortify it. Part of those at Kaskasky will be

easily brought thither or otherwise secured as circumstances will make necessary.-

You are to apply to General Hand for powder & Lead necessaryⁱ for this Expedition. If he can't supply it the person who has that which Cap^t Lynn bro^t from Orleans can. Lead was sent to Hampshire by my Orders & that may be deliver'd you. Wishing you Success I am

Sir

your hble Serv^t

P. HENRY

GOV. HENRY TO GENERAL HAND²⁵⁴

(*Thwaites & Kellogg, "Frontier Defense on Upper Ohio," p. 196.*)

Williamsburgh, Jan. 2^d 1778.

Sir

I was favored with your two last letters which shall have my attention.

I have to request that you will please to furnish Major G. R. Clark with boats sufficient for conveying seven companys of militia on an expedition of great consequence. Besides the immediate advantages arising from the success of it, the consequential benefits will be many. A good understanding with [New] Orleans is a desirable object. And I must entreat you, Sir, to give Major Clark every assistance which he may want. The boats I hope will not long be wanted; & the use of them, & every other thing furnished by you will be amply compensated by the Major's success, which I beg leave to assure you I am most anxiously concerned for. I refer you to that gentleman for an explanation of the errand on which he goes. It is needless to inform you how necessary it is that the whole affair should be kept impentrably secret. I have the honor to be, Sir, Y^r obedient hble. Serv^t

P. Henry.

P. S. I should have consulted you on the expedition, but time would not permit. I direct the Major to get his powder & lead from your quarter. Please to let him have what is necessary.

P. H.

Gen^l Hand, Pittsburgh Fav^d by Maj^r Clark.

(*From Journal of the Council.*)

Saturday January 3 1778

The Board being informed that the Mode adopted by them^r the 12th of February last, for supplying the places of the Officers appointed that day for raising two hundred men to garrison Forts Pitt & Randolph, who should refuse to act, or fail to remit their respective Quotas,

²⁵⁴Edward Hand was born in Kings County, Ireland, December 31, 1744. He was a surgeon's mate in the British Army in 1774. He settled in Pennsylvania in the practice of medicine in 1774. At the siege of Boston he was a Lt.-colonel; colonel at the Battle of Long Island; made brig.-general in 1777; adjutant-general of the army in 1780. Gen. Hand died at Lockford, Pa., Sept. 3, 1802.

is very inconvenient being confined to the first seven Justices of Yohogania County, they do advise the Governor to empower & direct any five Justices of the Peace for that County to fill up the Vacancies which may happen in that Corps.

[From the following extract from a letter of Gov. Caswell to Gov. Henry, dated 28th January 1778, (printed in the "North Carolina State Records," Vol XIII, p. 15.) one may deduce the contents of the two letters of Gov. Henry to Gov. Caswell:]

Sir:

Your favors of the 6th and 11th instant, were delivered me yesterday by Mr. Davenport, Col: Ayletts business in this Department, being such as to require his stay in Virginia, (of which I make no doubt he has advised you) has requested me to appoint an assistant to him in this State, which I shall most cheerfully do. He sent by Mr. Davenport 20,000, Dollars, the greater part of which, I have already laid out, and shall continue to do this very necessary business until I can get a proper person to discharge the duties of such an appointment, but as money will enable me to get the articles necessary with more ease, and convenience and with more content to the venders, I must request you will be pleased to recommend to Col: Aylett the sending a much larger sum so soon as he possibly can, by the time of the arrival I shall have a person properly qualified to receive it, in the mean time the business shall go on with all the assiduity and assistance I can give it. I thank you for the Copy of the Act of the Assembly your Excellency did me the honor to enclose. The General Assembly of this State is adjourned to the first Monday in April next. * * * in the mean time I shall use every means in my power to prevent the importations of provisions by laying an Embargo and take such steps as I hope will in some measure prevent the pernicious practice of those wretches among us who prefer a Temporary Satisfaction of Acquiring to the Salvation of their Country. * * *

[The word "importations" in the fourth line above should be "exportation."]

GOV. HENRY TO GEORGE WYTHE, SPEAKER OF THE HOUSE
OF DELEGATES.

(From Va. State Archives, Ex. Com.)

Sir,

Jan 7th 1778

From the Importance of the Matters contained in the inclosed Papers, I have been induced to loose no Time in sending them to you. Secrecy in the Discussion is thought by Congress to be necessary. In case the Legislature shall make any Regulations in the purchasing Commissarys Department, Despatch is necessary from the advanced Season of the Year. With great Regard I have the Honor to be

Sir

Your obedient humble
Servant

P. HENRY

The Hon^{ble} George Wythe Esq^r.,
Speaker at the House of Delegates

(From Journal of the House of Delegates.)

Saturday Jan 10.

Resolved, That the Governor, be desired to transmit to the Governor of North Carolina, a copy of the act of Assembly "for enabling the public contractors to procure stores of provisions necessary for the ensuing campaign, and to prohibit the exportation of beef, pork and bacon, for a limited time;" and inform him of the necessity which the legislature of this Commonwealth hath been under, to adopt the most speedy and effectual measures, for supplying the army with provisions, and represent the expediency of our sister States co-operating therein, in case their Assembly is now sitting, or their executive is vested with powers for that purpose.

*(From Journal of the Council.)*Monday January 12th 1778

Henry Stratton who was Mate of the Rochester a trading Vessel lately belonging to the State, having made his Escape from Philadelphia where he & the rest of the crew had been confined as prisoners, & applying in Behalf of himself & Captain Bozeman Commander of the said Vessel who still continues a prisoner in Philadelphia, for some part of their pay- the Governor asked the opinion of the Board whether they are, under such Circumstances, intitled Whereupon the Council advised that altho in such Cases, the Seamen in the service of private Adventurers, are not intitled to pay, yet it would be a good Regulation in point of policy, for the State to allow the whole pay to the time of the Capture & half pay during Captivity as it would not only be an Inducement to the Captives to return to the Service, but also give the State an advantage over private Traders in procuring necessary Seamen at a Time when it is so difficult to procure them- And then his Excellency directed that the Agent for Trade take this Rule for his Government in all such Cases.

Wednesday January 14th 1778

James Madison jun. Esquire, who hath been duly elected a Member of the Privy Council, appeared, and the Oath of Office being administered to him he took his Seat at the Board accordingly.

* * *

The Governor having communicated to the Board a Letter from a Commoner of Congress, of the 31st December last, representing the alarming accounts of the Distresses of the American Army for the Want of Provision, in somuch that it is hinted to Congress, by General Washington, that the Troops, unless an immediate supply is sent, must either "*Starve Dissolve or Disperse*" and asking the advice of the Council thereupon- they do advise his Excellency to give Directions to Colonel Aylett the Continental Commissary, forthwith to send off an active intelligent & proper Person to the Northwestern Parts of this State in order to buy up all the Pork Beef & Bacon that can be procured, & to forward it with all possible Dispatch to Headquarters, & to pro-

cure Waggon for conveying such Salt & other Necessaries as his Excellency may think can best be supplied from hence. All which the Governor orders accordingly and he also with Advice of the Council sent y^e said Letter to the Assembly.

His Excellency informed the Council that he had prevailed on Colonel David Rogers of the Senate, to convey to the Governor of New Orleans by way of the Missisipi, a Letter which he was anxious to send & laying the same before them it was read approved of & ordered to be recorded.

His Excellency then laid before the Council the Instructions to Colonel Rogers which were also approved of viz.

Colonel Rogers

You are to proceed with out Loss of time to engage a Lieutenant Ensign & twenty eight Men on double pay & with them you are to go to New Orleans with Dispatches to the Governor of that Place. I expect some Goods are to be sent from thence to this State which you will take under your Care & safely convey home with Answers to my Letters. General Hand will be desired to give you Assistance as to the Boats &c. necessary for the Trip.

I desire to know the Strength of the English Possessions on Mississippi & whether they supply the West Indies with any & what Articles. The present State, Temper & Condition of these People must be gathered by such Means as will not endanger Discovery. You are to consider of a Proper Place to fix a Post at for facilitating & securing the Trade to New Orleans & Consult the Spanish Governor on it.

Describe to that Gentleman the real Strength & Situation of Virginia the Progress of the War & whatever else he may wish to know of the American Confederacy.

You are to convey my Instructions to Colonel Clark by which he is directed to escort you homeward & you are to correspond with me & let me know the upshot of this Business as soon as possible.

GOV. HENRY TO THE GOVERNOR OF LOUISIANA.

(From copy ^{254½} in the Library of Congress.)

Williamsburg, Virginia, January 14, 1778

Sir:-

I took the liberty of troubling Your Excellency with various letters which I lately sent by sea, but considering the danger of our vessels being captured by British privateers, and since communication with New Orleans was very much exposed by that means, I inform Your Excellency that I am sending an express by the Mississippi in order that he may present himself to you to receive your orders. Colonel David Rogers will have the honor of delivering this letter into Your Excellency's hands, and of executing whatever is your pleasure to order in that river, which having an easy and safe communication with the Gulf of Mexico,

^{254½}The copy in the Library of Congress is from copy in the Archives General de Indias, Seville, Spain, sent by the governor of Louisiana to the Spanish government on October 24, 1778.

offers to us mutually communication between the vessals of His Catholic Majesty and the honored people of this State. I flatter myself that it will be found to be to the advantage of both. A State which is beginning to arise and which is engaged in a formidable war, suffers considerable needs and cannot solicit without great difficulty what it needs to maintain it vigorously. This is the experience of Virginia, but thank Heaven, they are not so great that its valor cannot overcome them. Its own resources, assisted by perseverance have removed some of them, while others have been relieved by the friendly aid of the Spanish and French nations, and the American arms have been crowned on various occasions with signal advantages. Intimately persuaded of the importance to Virginia of the friendship of the Spanish nation and the favors that Your Excellency has granted, I desire eagerly to respond in everything so far as lies in my power. I beg Your Excellency to consider whether by uniting West Florida to the Confederation of the States of America, the English settlements will not be reduced to an extremity, and whether the progress of their rivalry with Spain would not cease.

No. 1. I have been informed that they are taking from the Mississippi much timber, provisions, and various other things. All this may be easily prevented by the Americans if Spain approves.

No. 2. I believe that in order to assure communication with New Orleans, it will be necessary to construct a fort at some place at the mouth of the Ohio. This will only depend on what Your Excellency considers it advisable to reply to me in this matter. The land navigation of the Mississippi and the Ohio, although at present subject to many disadvantages, has the great advantage that the English privateers cannot infest it. Our sea trade suffers many anxieties because of them, that being the reason for the lack of woollens, especially of blankets, and of linen and war supplies. In order to remedy this, Col. Rogers will receive from Your Excellency the effects which you are pleased to send with him, and which according to the arrangement made with Congress in your letter, were deposited at New Orleans for this State. The operations of the war with the English are so extensive that the expenses have increased beyond measure. This obliges me to ask Your Excellency whether it will be possible for you to aid this province by lending it any money, for instance one hundred and fifty thousand pistoles more or less, and what place will be the most convenient to receive it— whether at New Orleans, Havana, Cadiz or at any other place. Naturally your Excellency will desire to know what I have to give you as compensation for these loans. I shall answer “The thanks of this free and independent country, trade in one or in all its rich products, and the friendship of its brave inhabitants.” Ignorant at the present time which of these things Your Excellency prefers, I offer them so that you may select those which are most pleasing to Your Excellency and the Spanish Nation.

No. 3. If Your Excellency desire a fuller explanation of any points referring to this State, and to the progress of the war, will you please confer regarding them with Col. Rogers, a gentleman in whom Your Excellency may place your confidence, and who will satisfy you as to many particulars which cannot fall within the compass of a letter.

I beg Your Excellency to favor him with your protection, and that on his return to this province, he may find in you all the aid and assistance that his situation and circumstances may require. Six hundred thousand people of all ages form the sum of the inhabitants of this State. At the present time, we have cultivated but a small portion of our lands. What is left to us is more than we can settle in a long time. Our manufactures are still in their infancy, but agriculture flourishes and has made great progress, and gives us the saving for many costly needs. I refer you to my former letters for the enumeration of the products of the province. From those products, I desire Your Excellency to select, in accordance with your desires, as a recompense for the supplies and sums of money of which I beg a loan at the most opportune occasion, giving me advice thereof as early as possible.

I have the honor to be, with sentiments of the most perfect esteem,
Your Excellency's most obedient and
humble servant,

PATRICK HENRY

P.S. Will Your Excellency bear in mind that the letter which will be handed to the Spanish Governor by Col. Rogers, is the same one which I sent in French translation and signed by my hand; but since we have here no persons sufficiently acquainted with the French language the said translation is faulty especially in paragraphs nos. 1, 2, and 3, the meaning of which was omitted in it. The present letter, which I am sending in this paper, is the authentic letter, and must be so considered. I assure you that its contents express the minds and will of the Executive Power of the State of Virginia. Given in Williamsburg, *ut supra*

PATRICK HENRY

(Place of the Seal)

Copy conforming to the translation of the original which remains in the secretary's office of this Government under my charge, and I refer to it.

New Orleans, Oct. 24, 1778
Joseph Foucher (rubric)

(From Journal of the Council.)

Thursday January 15th 1778

The Council deliberating further on the Subject of a Letter laid before them yesterday by his Excellency are of Opinion that for the more immediate supplying the Army under general Washington special Agents should be appointed in the Northwestern Parts of this State for the purchasing Provision & forwarding it without delay to Head Quarters, and they accordingly advised his Excellency to nominate & employ Messieurs Abraham & Thomas Hite & James Barbour Gentlemen for the Purpose & to give them Instructions not to interfere in the purchases made by any Continental Agents. All which the Governor Orders Accordingly.

GOV. HENRY TO GENERAL HAND.

(From Thwaites & Kellogg, "Frontier Defense on Upper Ohio", p. 199.)

W^msb^urg, Jan. 15th 1778.

Sir

Col. David Rogers has my instructions to proceed to New Orleans on business of the greatest concern to the State. He must have boats, provisions, Men, &c. without which his journey will be stopped. I trouble you, Sir, on this occasion, so important to the interest of America, hoping for your warmest Exertions to fit out the Colonel in the Most Speedy manner. His principal difficulties will probably be in procuring boats & men. But I've hopes that in a Matter of such high moment to your part of the country, everything necessary for the trip will be got with alacrity. Ammunition & arms will be delivered him by you, Sir, I hope with Convenience. I am, Sir, Y^r Mo. hble Serv^t

P. HENRY.

Gen. Hand.

GOV. HENRY TO COL. GEORGE ROGERS CLARK.

(From "Illinois Historical Collection," VIII, 38.)

W^msb^urg Jan. 15th 1778

Sir

Col^o David Rogers is to go to New Orleans on the Business of Trade I mention'd to you, & I have opened the secret Nature of your Expedition to him as it was necessary for his safety. I wish I had known of his being acquainted with all the places you are going to. He is intimately acquainted in all that Country having been often times through every place there & can give you valuable Intelligence & Advice. I wish you to avail yourself of his Counsel & proceed as you find the Interest of your Country directs when you get to the place you are going to. What I have in view is that your Operations should not be confin'd to the Fort & the Settlement at the place mention'd in your secret Instructions, but that you proceed to the Enemy's Settlements above or across, as you may find it proper.

Col^o Rogers will be in Danger as he comes up the River Homewards unless he can fall in with your party & return with them. If you should return before he does, leave a Company of 50 men under a good Officer somewhere down Ohio or wherever the Col^o shall direct to escort him Home with his Cargo. This is a Matter of Consequence & I hope will not fail as the Danger otherwise about the lower parts of Ohio will be great I am

Sir Y^r mo. hble Servant

P. HENRY.

[Addressed:] Col^o George Rogers Clark fav^d by Col^o Rogers

[Endorsed:] Gov^r Henry Jan^y 15th 1778

GOV. HENRY TO GEORGE WYTHE.

*(From the Virginia State Archives.)*Jan 17th 1778*Sir*

The inclosed Resolutions of Congress appearing to contain Matters proper for the Consideration of the general Assembly, I have taken the Liberty to send them to you, I am

Sir

your obedient & very
humble Servant

(Signed) P. HENRY

GOV. HENRY TO THE VIRGINIA DELEGATES IN CONGRESS.

*(Cont. Congress Papers-Va. State Papers, 71, Vol. 1.)*W^msb^{rg} Virg^a Jan^y 20th 1778.*Gentlemen,*

Francis Lightfoot Lee Esq^r's Letter for the Committee on the Subject of provisions filled me with Concern & astonishment.²⁵⁵ I applied to the Deputy Commissary General to furnish some Active persons for throwing an instant Supply of Provisions to the Army to answer the present Exigency. I was told by him that he could get none such immediately, but he would write to his Deputy to do the Business

I thought this plan by no means satisfactory, For in the Northwestern parts of this State in that Deputy's Quarter, I found upon Enquiry that Eight or ten thousand Hogs & several thousand fine Beeves might have been had very lately in a few Counties convenient to the Camp. In order therefore to avoid blending my Transactions with the Commissary's & to give Despatch & Efficacy to the Measure, I employ'd Abraham Hite, Thomas Hite, & James Barbour Esq^r's Gentlemen of Character to purchase instantly Beef, or Pork, if Beef could not be had, to the Amount of ten thousand pounds & drive it to Camp in the most Expeditious Manner, and advanced them the Cash. I have also directed Colonel Simpson²⁵⁶ to seize two thousand Bushels Salt on the Eastern Shore & send it to the Head of Elk for the grand Army & to reserve a thousand more to answer further orders that may become necessary-

A Galley is also ordered to carry 600 Bushels along the Western Shore to Elk for the same purposes. In the Article of Flour I have not meddled, thinking from M^r Lees Letter that it was not wanting. By these several Steps, the best which in the sudden Exigency could be taken, I hope a temporary Supply may be obtained.

But Gentlemen I cannot forbear some Reflections on the occasion which I beg you will please to lay before Congress as the Sentiments of the Executive Body of this State. It is with the deepest Concern that the Business of supplying provisions for the grand Army, is seen [to] fall into a State of uncertainty & Confusion. And while that Executive

²⁵⁵See Irving's "Life of Washington", III, 348.

²⁵⁶Col. Southy Simpson.

hath been more than once called upon to make up for Deficiency's in that Department, no Reform is seen to take place. Altho a great Abundance of provisions might have been procured from Virginia, yet no Animadversions that I know of, have been made upon the Conduct of those whose Business it was to forward it to the Army. In this situation of things Intelligence is given to *me* that from this State it is expected most of the Supplies must be drawn. What may be inferred from this I do not well know.

If any kind of Superintendence or Controul over the Commissariate is meant, Congress will please to recollect that the Gentlemen in that office are not amenable to me. If it is expected that friendly Assistance should be given, I am happy in saying this has been anticipated. Large Loans of Flour, Meat, & Salt have been made from Time to Time to great amount, nor will they be withheld but from the most absolute necessity. But I earnestly desire that it may be understood & remembered once for all that the Executive power here has nothing to do with the Commissarys Business. That it hold itself guiltless of all the Mischiefs which in future may arise from Delinquency in that office.

It will indeed be unworthy the Character of a Zealous American to entrench himself within the strict Line of official Duty, & there quietly behold the starving & dispersion of the American Army. The Genius of this Country is not of that Cast.

I do not wish to avoid any Labour which may serve the general Interest and which cannot be executed better by others. But I have the Mortification to know that the present Business I have directed, will be executed with great Loss to the public. The pressing occasion puts the price of meat &c in the power of wicked ava[ri]cious & disaffected men. The Value of Money will be more & more lessened, the means of supporting the public Credit counteracted & defeated. I will not enumerate further the Evils which must follow from suffering Business of this vast import to remain in the Channel where it is now going. Let it suffice to say that this Country abounds with the provisions for which the Army is said to be almost starving particularly that part of it nearest the Camp.

The Executive has no Authority over or Connexion with the Commissariate. The Temporary supply ordered to Camp concludes the Interference which is made in that Business & is kept as a distinct & separate Transaction. But if in the Course of future Events it should become at any Time necessary that the Commissariate should receive any aid within the Line of the Executive power of this State it will be afforded with the greatest pleasure- yet in such a Case it is much to be wished that as early notice as possible may be given of such Necessity.

The pain which Government feels on this occasion, & which is generally diffused throughout this State, for the melancholy, the perilous situation of the American Army will be relieved when a Reform takes place in that Department from mismanagement in which have flowed Evils threatening the Existence of american Liberty

I beg leave Gentlemen to apologize for the Freedom of this Letter.

Congress will please to be assured of the most perfect Regard of every Member of the Executive of Virginia. But that Body would be wanting in the Duty they owe to the great Council of America & to their Country, if they concealed any of their Sentiments on a Subject so alarming as the present. The Honour & Credit of that great Council are conceived to be deeply concerned in rectifying what is wrong in these Matters. And nothing but the highest Regard, & most anxious Care to preserve that honor from aspersion should extort the painful observation from me.- I pray for the prosperity & Happiness of Congress as the Guardians of America, & with the greatest Esteem

I am,

Gentlemen,

Your very Humble &

most obed^t Servant

[Indorsed:]

P. HENRY

Letter from gov^r Henry
Williamsburg 20 Jan^y 1778
read 7. Feb^y 1778-

(From Journal of the Council.)

Tuesday January 20th 1778

The Governor laid before the Board a Letter which he had written to the Virginia Delegates at Congress on the Subject of Provisions, which was read approved of & ordered to be recorded. (*vide* Letter Book)

[Read in Congress on February 2]

January 22^d 1778

The Governor having given Directions to the County Lieutenant of Nansemond to take possession of the Sloop Friendship alias Charming Polly suposed to be British Property, & therefore forfeitable to the State, but which is also claimed by David Ross as his Property, the same having never been regularly divested from him which Vessel was brought into South Quay by Jacob Johnston as Master & having given Orders to send the said Master & Crew to this City for examination that it might be known whether they are to be considered as Prisoners of War or not, & the said David Ross also appearing before the Board to make his Claim aforesaid- the Board not having power to determine a Question of this Nature respecting private property & at the same time interested to make their just Claims appear & being willing to do Justice to any Right, derived to the Commonwealth in this Transaction do advise the Governor that he Direct the proper Officer to institute a prosecution in the Court of Admiralty against the said Sloop Friendship alias Charming Polly in order to her Condemnation if that shall be adjudged proper & to give the said M^r Ross an opportunity to make out his Right to her if he can.

[On Friday January 23 the Assembly elected Bolling Starke a member of the Privy Council in the place of Bartholomew Dandridge, resigned.]

(Journal of the House of Delegates.)

January 23, 1778

Resolved, That an Adjutant General be appointed by the Governor and Council, of some active, studious and intelligent citizen of this State, whose duty it shall be to follow the Inspector General in all his operations etc. etc.

[Here follows a resolution with regard to the commissioning of Coyet, Pierre, and other French officers.]²⁵⁷

*(From Journal of the Council.)*Friday January 23^d 1778

The General Assembly having empowered the Governor, with the Advice of the Privy Council, to appoint two Brigadier Generals, if the numbers of Volunteers who may enlist agreeable to the Directions of the Act entuled 'An Act for Speedily recruiting the Virginia Regiments on the Continental Establishment & for raising additional Troops of Voluntiers shall make it necessary to appoint them the Board, being of Opinon that it might greatly encourage the Service to let it be known what Gentlemen are likely to be appointed, advise his Excellency the Governor as soon as the Enlistments shall give him a Right to do so, to appoint Thomas Nelson j^r & Alexander Spotswood Esquires Brigadiers General to Command the said Troops. And the Governor with the advice of the Council, was pleased to appoint Monday the 23^d Day of February next for the Nomination of the Field Officers of the several Battalions & to direct all Persons willing to offer their services to their Country on this Occasion may have an Opportunity of doing so, in any way the most convenient to them selves:

Saturday January 24th 1778

The Governor having received authentic Information that a Certain Captain Yerby of Lancaster County while on Duty at the Head of a Company of Militia, did in a false Traitorous & wicked Manner aid & assist certain British Ships of War in taking & making prize of a Ship or Vessel being French Property, which trading in this State was intituled to its Protection, He with the advice of the Council, gave directions to Richard Mitchell & James Gordon Esquires, Magistrates in the said County to apprehend the said Captain Yerby & all others his abettors in the aforementioned Transaction & strictly to examine him & them upon y^e Subject & deal with them in the usual Method of proceeding against Criminals.

His Excellency with the Advice of the Council gave directions to William Armistead Esquire Commissary of Stores, to comply with a

²⁵⁷In a letter [Chantilly, Virginia, January 7, 1778] Richard Henry Lee had announced to Gov. Henry: "* * *"; by the care of a colonel of Artillery to whom Monsr Loyeaute had written, and Monsr Pierre, who is likewise mentioned in the Delegate's agreement, the Sergeants, five in number, with Monsr Pierre, Monsr Bigarre & Monsr Coyette are on their way to Williamsburg."

Resolution of the General Assembly of the 20th January 1778 for furnishing the regular Soldiers belonging to either the Continent or the Commonwealth with a Suit of Cloaths ready made- to take Vouchers to shew the delivery of them to the proper Officer & to set the Taylors to work as he may be possessed of the Materials by Importations or such Purchases as he may be enabled to make by a close attention to the Subject.

His Excellency also gave Directions to Colonel William Finnie Quarter Master general to proceed without Loss of Time to provide in the most effectual Manner proper Tents & Knapsacks for five thousand Men.

A letter was written to Doctor Livingston desiring him to Assist & advise M^r Lynch in Contriving the new Works at the Lead Mines in Montgomery- a copy of which is filed & ordered to be recorded.

The Governor with the Advice of the Council gave Directions to M^r Jeremiah Walker of the Baptist Society to enlist any Members of the same to serve as Volunteers agreeable to an Act of Assembly intituled 'an Act for speedily recruiting the Virginia Regiments on the Continental Establishment & for raising additional Troops of Volunteers'.

[The General Assembly adjourned on Saturday January 24 to meet again the last Thursday in March.]

Monday January 26th 1778

A Letter was written to the Governor of New Orleans by Captain Young²⁵⁸ a Copy of which is filed & ordered to be recorded. also

A Letter to Governor Johnston, of Maryland, informing him that Salt, Pork &c. will be sent from this State to the Head of Elk for the Grand Army, and desiring that the Place may be put in a State of Defence- a Copy filed & ordered to be recorded.

GOV. HENRY TO GEORGE ROGERS CLARK.

(*From Illinois Historical Collections, VIII, 39.*)

W^msburgh Jany 24th 1778

Sir

Being just now informed that you had given a Commission, with recruiting Instructions to some Person as low down as the County of Amelia, to enlist men for the Service which you are appointed to command, I am under a necessity of expressing my Concern at your Conduct, well knowing that men inhabiting that part of the Country are by no means proper to be employed in the Expedition which you are to direct; indeed you must certainly remember that you inform'd Me, that you expected to get Men enough to compleat the seven Companies partly in Kentucky & partly within the Carolina Line, and that if you shou'd fail in your Expectation, any Deficiency cou'd easily be made up in the frontier Counties in the neighbourhood of Fort Pitt; the South

²⁵⁸On April 25, 1778, Raleigh Colston, agent at Cape Francois, wrote to Thomas Smith, State agent: "I congratulate you on the safe arrival of the Mayflower, Capt. Young, who was destined for New Orleans."

Branch & the Frontiers: I must therefore desire You to pursue your first Intentions, for by inlisting any men in the lower Counties, You will not only procure improper Persons, but you may also throw those Counties into great Confusion respecting the Act of Assembly passed this Session for recruiting the Continental Army. The men you enlist will not be exempted from the Draught. I am

Sir Y^r hble Serv^t

P. HENRY

Col^o G. R. Clark

[Addressed:] To George Rogers Clark Esq^r supposed to be at Fort Pitt.

GOV. HENRY TO GOV. JOHNSON OF MARYLAND.

(*From Maryland Historical Magazine*, V, 178.)

Williamsburg, January 26th, 1778.

Sir:

The extreme want of the Grand army in the articles of provisions, calls for immediate assistance. The most alarming accounts on this subject induce me to the utmost exertions to supply them. I order Salt, Pork &c. to be lodged at the head of Elk and beg that the place may be put into a state of defence. For otherwise a Barge or two may Destroy the Stores lodged there. I think much of the provisions necessary for the Army must go there, and the loss of it may be fatal. The particular degree of force to be stationed there, your Excellency will be pleased to judge of.

I beg the assistance of one of your Gallies to transport provisions from hence. Ours can carry but little. Yours I think is much wanted, and its service will be peculiarly convenient if your Excellency shall think proper to spare it on this important occasion, which calls for speedy succour.²⁵⁹

With great Regard I have the Honor to be Sir, Yr. Excellency's most obedient & very hble Servant

P. HENRY.

His Excellency Thomas Johnson,
Gov^r of Maryland.

[Endorsement:]

As the inclosed Letter to Gov. Johnson is to get a Galley to carry Provisions (a fine stout Vessel) & a request to have the Head of Elk²⁶⁰ fortifyd, 'tis recommended to Col^o. Aylett to forward it by Express.
P. H.

²⁵⁹Governor Johnson's answer to this letter is found in "Archives of Maryland", Vol. XVI, p. 498.

²⁶⁰The Head of Elk, Maryland, at the head of Chesapeake Bay.

GOV. HENRY TO CAPTAIN YOUNG.

(From Letter Book of Thomas Smith, Agent, 1777-1778, p. 12, Virginia State Archives.)

Williamsburg 26th January 1778

Captain Young.

You are to proceed with the May Flower and her Cargoe to New Orleans and there deliver your Letters to the Spanish Governor and receive his Commands. I expect there are some Goods waiting at that place to be delivered you on Account of this State. if there should, take in such as are most wanted Viz. Blankets, Musquets & Bayonets, Coarse Linnens and Wollen Clothes and Food stuff, and dispose of your Cargoe in a Payment for them as far as it will go. If there are no Goods in return you may dispose of the Cargoe there if you find it advantageous, and purchase with the Amount of Sales such of the above articles as can be got preferring Blankets, and Arms. Take care to give no offence in any thing to the Spanish Governor and ask for Letters in answer to mine.

In case you see a certainty of being taken, you are to throw the Letters to the Governor over Board. I am

Sir

Your Hble Serv^t

[Copy]

P. HENRY.

GOV. HENRY TO THE VIRGINIA DELEGATES IN CONGRESS.

(From W. W. Henry's "Henry," III, 143.)

Williamsburgh Jan. 27th 1778.

Gentlemen: The Letters of Marque formerly sent to this State, are all disposed of, and great inconvenience is felt for want of more. I beg that you will please to send me one hundred, or if more convenient a lesser number.

I could wish that Congress might find it convenient to pay the Militia from this State lately in Continental Service without Delay. It may occasion a Readiness to enter into that Service in future. With great Regard I have the Honor to be,

Gentlemen,

Your most obedient Servant,

P. HENRY.

To the Delegates from Va. in Congress

P. S. The Assembly request Congress to furnish Eight field pieces for Virginia. My former application was for Six only. [note endorsed:] 5 brass cannon have been Ordered to Virginia by the Board of War.

*(From Journal of the Council.)*Tuesday January 27th 1778

The General Assembly having by their Resolution of the 23^d of this present Month, directed among other things, that an Adjutant General be appointed by the Governor & Council of some Active Studious & intelligent Citizen of this State, who is to follow the Inspector General of Artillery &c. appointed by another Resolution of the same date, and to rank as Lieutenant Colonel and the said Inspector General having strongly recommended Thomas Jones²⁶¹ jun. Esquire for that Office, a Gentleman who has served a Considerable time in the Second Virginia Regiment & who appears to possess the Qualifications required by the Resolution- the Board do therefore advise his Excellency to Commissionate that Gentleman accordingly. a Commission was issued dated this day.

In Conformity to a Resolve of the General Assembly appointing St Francis arnert Mishel dieu donne de Loyeaute²⁶² Esquire Inspector General of artillery &c. the Governor gave him a Commission of this date.

Wednesday January 28. 1778

The Board having received repeated Intelligence that the Grand Army is in exceeding great want of Provisions, & that superadded to the Measures already taken by Government here for relieving that Want, the Deputy Commissary General will need the Assistance of all the armed Vessels that can be spared for this Service. They advise the Governor to give Directions to the Navy Board to afford the said Commissary every possible Assistance in transporting Provisions up the Bay or Rivers as Circumstances may render most effectual to answer the present Exigence; And it is accordingly ordered by the Governor.

The Board advise the Governor to desire the Sheriffs of the several Counties to transmit to this Board an accurate account of all Estates real & personal within the respective Counties, belonging to British Subjects in order that the Act of Assembly for Sequestering British Property enabling those indebted to British Subjects to pay off such Debts, and directing the proceedings in Suits where such Subjects are Parties, may be duly executed which is accordingly ordered by the Governor (published).

The Governor informed the Board that his absence from this City for some time, was necessary, and that he had nothing particular at this time for their Consideration; he therefore advised their adjourning over till a distant Day; but that if in the interim any thing urgent should demand their attendance, the Lieutenant Governor should be advised thereof and desired to attend. The Board accordingly adjourned till the 18. next Month.

[A letter of Governor Henry of 28 January was read in Congress on February 9. See "Journal of the Continental Congress."]

²⁶¹Thomas Jones, 1st lieutenant 2d Virginia, 19th February, 1776; resigned 7th May, 1777.

²⁶²The name is much garbled. It is doubtless St. Francois Arnert Michel Dieudonne de Loyeaute.

GOV. HENRY TO GEN. WASHINGTON.

(From W. W. Henry's "Henry," III, 144.)

W^{ms}bsburgh Jan 28th 1778.

Sir: By the second Clause of the Act of Assembly, which I have the Honor to inclose to your Excellency, a Bounty of Twenty Dollars is directed to be paid to the Soldiers composing the Virginia Corps under your Command, reinlisted.

I beg the Favor of your Excellency to inform me of the most effectual Method of managing this Business, which I wish to conduct in the manner most acceptable to you. With the highest Regard & Esteem I have the Honor to be Sir,

Your most obedient & very humble Servant,

P. HENRY.

His Excellency General Washington.

[Enclosure not found with letter as above]

(From Journal of the Council.)

Tuesday February 3^d 1778

The Lieutenant Governor having received Sundry Letters & Dispatches of Public import which required the immediate Consideration of Council the Members convened this Day.

A Letter from Carter Braxton Esquire to the Governor being laid before the Board for their Consideration, they do advise the Lieutenant Governor to write to Mawrice Symonds^{262½} Esquire Agent for this State in Charles Town authorizing him to receive Sixteen thousand Dollars on account of the State from the order of M^r Braxton, and the Board agree to repay the Money on Notice from M^r Symonds that he has received the same. And the Lieutenant Governor wrote a Letter to M^r Symonds to that Effect.

Wednesday February 4th 1778

The Prosecution instituted by order of the Board against the Sloop Friendship alias Charming Polly before the Court of Admiralty being determined, and that Court having decreed that the said Sloop & her Cargo should be delivered up to John Ferguson or his Agent, the Lieutenant Governor is advised to order the County Lieutenant of Nansemond to dismiss the Guard over her & to deliver up the said Sloop & her Cargo agreeable to the Desire of the Court.

Which the Lieutenant Governor orders accordingly.

By advice of Council the Lieutenant Governor wrote in answer to Colonel Prestons Letter on the Subject of Indian Affairs, & the Situation of the Frontier— a Copy filed & ordered to be recorded.²⁶³

The Lieutenant Governor also wrote to Captain Onslow of the S^t Albans respecting Prisoners sent agreeable to exchange agreed on between the Governor & Captain Caldwell.

^{262½}Maurice Simons (as the name is written in a letter of Jacob Faulcon to Wm. Aylett) had visited Virginia in the autumn of 1771. See *Tyler's Quarterly*, I, 150.

²⁶³For details of this matter see "The Virginia Frontier in History—1778" by David I. Busnell Jr., V. H. M., Vol. XXIII, p. 114 *et seq.*

Thursday February 5th 1778

The Lieutenant Governor laid before the Board for their Consideration a Letter inclosing sundry Resolves of Congress: Whereupon they advise him to inclose a Copy of the Resolves for transporting provisions by inland carriage from South Quay to Head of Elk, to the Deputy Quarter Master General & Deputy Commissary General of Purchases, recommending it to their immediate attention for speedy & effectual Execution.²⁶⁴

A Copy of the said Resolve was inclosed accordingly.

And his Honour with the advice of the Council, gave orders to the Manager of the Lead Mines to deliver Colonel John Bowman 500 lbs of Lead for the use of the Garrison to be established on Ohio & 200 lbs. of powder to be allowed in his Account for Slaves hired him by the Public.

Thursday February 12th 1778.

The Express sent with a Letter written by the Board Yesterday to the President of the Council at Rosewell²⁶⁵ being returned & unable to Cross York River by the Wind, and sundry other matters of Importance presenting for the Consideration of the Council, a Letter was written to the Governor by Express informing him thereof and pressing his immediate attendance and then the Members present Adjourned till Tomorrow.

Friday February 13th 1778

Dudley Digges Esquire Lieutenant Governor.

The Lieutenant Governor having in the absence of the Governor received a Letter to his Excellency from the Treasury Board mentioning that on account of the great Demands from all quarters on the Continental Treasury it had become necessary to draw on their Loan Office in this State for thirty five thousand Dollars payable to Alexander Rose Esquire for the purchase of Supplies for the Army and desiring that the said M^r Rose might receive out of the Treasury of this State so much as he might not be able to negotiate at the said Loan Office the Commissioner thereof giving Certificates for the amount of the Money so advanced, to be kept until he can exchange the same- The Board duly weighing the importance of this Business & the Necessity of Complying with this request, advise the Lieutenant Governor notwithstanding the weak Condition of our own Treasury at present, to give a Warrant on the Treasury for Six thousand one hundred & eighty pounds eighteen Shillings equal to twenty thousand six hundred & three dollars, & a Draught on Maurice Symonds Esquire Agent for the State at Charles Town for ten thousand Dollars more payable to said M^r Rose or order, which Sums together with what he received at the Loan Office, amount to the thirty five thousand Dollars drawn for- But the Board at the same time advise the Lieutenant Governor or His Excellency the Governor if he should return in time, to write the Treasury Board, that there being

²⁶⁴For reference to a letter on this subject written by Lt. Gov. Page to Gov. Caswell, see "N. C. Records", Vol. X, p. 39.

²⁶⁵The home of John Page, in Gloucester County.

a Loan Office here for the Purpose of borrowing Money for the use of this State it can by no means consist with our Circumstances to lend Money till the Continental Loan office here may be enabled to repay it, which from appearances will not happen in any short time and that the Loan is made in Compliance with the urgency of the occasion, and in full confidence that the Continental Treasury Board will in some short time repay the Money lent, either by remitting the same to the Treasury of this State, or by honouring the Governors Draught for the amount as soon as it shall become necessary to make it.- The Lieutenant Governor accordingly issued his Warrant on the Treasury in favor of M^r Rose for Six thousand one hundred & eighty pounds eighteen Shillings & a Draught on Maurice Symonds Esquire at Charles Town for ten thousand Dollars- a Letter was written M^r Symonds advising him thereof.

On Considering the Petition of Colonel Littleton Savage of Northampton County, in behalf of himself & others who have lost Slaves, which are supposed to be on board some of ye Enemy's Ships, the Lieutenant Governor is advised to empower the County Lieutenant of the said County (no Troops being stationed at this time on that Shore) to send a proper officer of his Militia to go with a Flag of Truce, attended by the owners of such Slaves in order to make application to have them returned.

Saturday February 11. 1778

The Lieutenant Governor with the Advice of the Council, recommended to the Navy Board to Station one Galley at Newports News, it being judged necessary for the protection of James River.

Wednesday February 18. 1778

John Page Esquire Lieutenant Governor.

The Board having received Information, that in various Parts of this State, Persons unauthorized by Government have presumed to go on Board the Ships of the Enemy with a flag of Truce, & under Colour thereof carry on practices of a most dangerous tendency the Lieutenant Governor is advised to issue a Proclamation, in the name of the Commonwealth, strictly to forbid all Persons whatever to go on Board any of the said Ships or other Vessels of the Enemy, without a Special License for that Purpose first obtained, from the Governor or Lieutenant Governor as they will answer the contrary at their Peril. And to enjoin all the Good People of this State more especially all Officers Civil & Military, as they tender the welfare of their Country, to exert their utmost vigilance to detect & bring to condign Punishment all such offenders.

The Lieutenant Governor with the advice of the Council gave Directions to the County Lieutenants to appoint an officer or Officers of their Militia with a proper guard if they shall judge any necessary to take charge of the Draughts in their respective Counties & march them to such Places as shall be directed by the Commanding Officer of the Continental Troops on this Station, unless called on by some Officer appointed by him for that Purpose before the fifth day of March.

Colonel Finnie, the Deputy Continental Quarter Master General representing to the Board the great difficulty of procuring Waggon for transporting the Cloathing & Provisions purchased for the grand Army, the Board recommended that, altho Supplies of such consequence must not be retarded for want of the necessary Conveyance, the Quarter Master forbear to impress except in those instances when the Obstinacy or Exorbitancy of the owners may render it necessary.²⁶⁶

Thursday February 19. 1778.

The Board resumed the Consideration of the Letters received from Colonel William Preston & the Board of War, and also the Memorial of the Inhabitants of Green Brier on the Subject of the Dangerous situation of our Western & Northwestern Frontiers, in consequence of the Murder of Cornstalk²⁶⁷ & other Shawanese Indians at Fort Randolph. His Excellency the Governor was pleased to propose the following plan of defence viz.

To give Directions for putting all the Guns in that Part of the Country into good repair- to furnish one pound of Lead to each Militia Man they being supposed to be possessed of powder sufficient for the present- to direct trusty Scouts to range towards the Enemy's Country- to advise proper Stockades for receiving the helpless Inhabitants wherever the Savages may have it in their power to penetrate, to direct the County Lieutenants of Botetourt and Montgomery to consult together on the expediencey of establishing a Post near the Mouth of Elk river for keeping up the correspondence between Green brier & Fort Randolph & checking the Incursions of the Enemy, and to do in that Matter as they shall judge best- to reinforce the Garrison at Fort Randolph with fifty Men from the Militia of Botetourt & to give directions that earnest & close pursuit after the foremost scalping Parties be made in order to discourage others.

His Excellency²⁶⁸ also observed upon the Necessity which in his Opinion there is for endeavouring to conciliate the Affections of those Indians & in order thereto of bringing the Perpetrators of that Murder to condign punishment; for effecting which he proposed to answer Colonel Prestons Letter by telling him, that if he were not convinced it would be wrong to expose the Inhabitants generally to that resentment which a few only deserved, he should decline taking any Measures at all for a Defensive War; but that if the Frontier Inhabitants expected the exertions of Government in their favour on any future occasion, they must endeavour to apprehend & deliver up to Justice the Persons concerned in that Murder who are all said to be well known, & may be easily secured if the generality of the People in those parts are disposed to do it; & that should they neglect this Opportunity of giving that Proof of their Abhorrence of an Act which not only is most cruel &

²⁶⁶On the above date [Feb. 18] Lt. Gov. Page evidently wrote to Gov. Caswell. See Caswell's letter to Page, dated March 1., "N. C. Records", Vol. X, p. 60.

²⁶⁷November 10, 1777.

²⁶⁸After an absence of more than two weeks Gov. Henry was present at this meeting of the Council.

unjust, but has moreover drawn on their Country other Enemies, when those we already had, required the utmost Exertions of America, they must expect to be left to feel that Vengeance which from their Situation they are most exposed to, & which in that Case they will so well deserve.

Of all which the Board expressed their Approbation & advised the Governor to give Orders to carry the above Plan into Execution.

The Governor accordingly prepared Letters on the foregoing Subject to Colonels Preston & Fleming; and so far as respects the Measures to be taken for the Defence & Security of the Frontiers similar Letters were written to the County Lieutenant (Col. Campbell) of Washington (Which are recorded in the Lr. Book).

GOV. PATRICK HENRY TO COL. WILLIAM FLEMING.

(From *Thwaites & Kellogg*, "*Frontier Defense on the Upper Ohio*," p. 205.)

Williamsburg, Feb^y 19th 1778.

Sir

The Murder of the Shawanese Indians will no doubt bring on Hostilities with that People. In order to ward off the Stroke which may be expected it is necessary to have every Gun in your County put into good order & got ready for Action. Lead may be had from the Mines. An order for one pound for each Man of your Militia accompany's this. Powder it is said is plenty among you. If it cant be had otherwise send to Richmond for it. Let trusty Scouts be kept in constant Action towards the Enemys Country to discover their Movements & give Information of approaching Danger. Proper Stockades or Defences to receive the more helpless part of the People should be provided in time and fixed at Places judiciously chosen, that the able Men may be at liberty to assail the Enemy & range the Frontiers as occasion may require. These Stockades should be provided at the Expence of your People & are not meant to be garrisoned only as particular Exigencies may make necessary. I think no Neighbourhood ought to be without one where the Enemy can possibly penetrate. In case of Attack you are to draw out such Force from the Militia as you judge sufficient to chastise the Invaders. Let the pursuit of Scalping Parties, be close, hot and determined, for if Vengeance is taken on the foremost Partys, others will be intimidated. I wish to reinforce Capt. Arbuckles Garrison with a Company of fifty Men officered in the usual manner from your County and that they should march thither without delay. Volunteers enlisted for this Business to serve six Months in it, I would prefer, but if they are not to be got without loss of Time let the Militia be drafted. For I expect the Indians very shortly on the Frontiers. I beg the favour of you to confer with Col. Preston on the propriety of establishing a Post to preserve the Communication from Fort Randolph, perhaps some Place near the mouth of Elk River might answer this purpose and also check the Inroads of the Savages if the Garrison was alert and diligent to intercept their Parties.

I am at a loss for Officers in Green Bryar and wish for a recommendation from your County Court of such as are proper; That Place will be

attacked tis likely and if no other Expedient can be found I must fill up the Commissions in Council, where the Individuals cannot be known. Rockbridge is in the same situation. Will you please to assist with such Information as you can give in finding fit Persons for Officers. I wish the Lead to be carefully preserved for the purpose of Defence & not given to the men but as Occasions call for it, except in exposed Places, where the People must be trusted with it. I think the Garrison proposed near Elk need not consist of more than sixty Men, but I submit it to you and Col. Preston to do for the best being on the Spot.

You will perceive my Views go no further than defensive Operations. I know how impossible it is to render them completely effectual against the Enemies you have to oppose. But offensive Measures set on foot against these Indians at this time after their late Treatment, would be too full of Injustice to escape general Execration. Policy & even Self preservation may ere long call for such Measures. But even then it may be doubted if provisions purchased in your parts would answer the Design.

Having now done every thing which I can foresee to be necessary for protecting the Frontiers, I must tell you Sir that I really blush for the occasion of this War with the Shawanese. I doubt not but you detest the vile assassins who have brought it on us at this critical Time when our whole Force was wanted in another Quarter. But why are they not brought to Justice? Shall this Precedent establish the Right of involving Virginia in War whenever any one in the back Country shall please? I need not argue to shew you Sir the fatal tendency of such Conduct. You see it & I fear your County will feel indiscriminately that Misery which ought to visit only the guilty Authors of the Mischief. Some say the People of your Country will not suffer the Apprehension of the Murderers. I desire it may be remembered, that if the frontier people will not submit to the Laws, but thus set them at Defiance, they will not be considered as entitled to the protection of Government, and were it not for the miserable Condition of many with you, I should demand the Offenders previous to every other Step. For where is this wretched Business to end? The Cherokees, the Delawares and every other Tribe may be set on us in this manner this Spring for what I know. Is not this the work of Tories? No Man but an Enemy to American Independance will do it, and thus oblige our People to be hunting after Indians in the Woods, instead of facing Gen^l Howe in the field, search into the Matter and depend upon it the Murderers are Tories. the Honor of your Country is at stake and it is time to decide whether these Villians are to meet with punishment or whether the greater Number will espouse their Interests. I desire you to the utmost, at all hazards & to the last Extremity to support and assist the civil Magistrate in apprehending and bringing these offenders to Justice.

If the Shawenese deserved Death, because their Countrymen committed Hostilities, a Jury from the Vicinage will say so and acquit the accused who must be judged by his Neighbours feeling the same Resentments and Passions with themselves. But they are Traytors I suspect and Agents for the Enemy, who have taken this method to find

employment for the brave back Woodsmen at home, and prevent their joining Gen^l Washington to strike a decisive stroke for Independency at this critical time.

Urge these things Sir with that Spirit and Warmth the Subject demands, prepare your People for their own Defence against the Indians to vindicate their Honor from the rude attack now made on it, and let them be shewn to the World as possessing the other virtues which usually accompany Courage.

In the Confidence that what I now press, I mean the bringing the Murderers of the Indians to Justice, will be done, Government will loose no Time in lending its best Aids to protect your Country. I fear something essential for the frontier Defence, may have escaped me, But your part must be in concert with your Neighbours to point out what yet remains to be done for your safety. If a Reinforcement of fifty Men more is necessary at Fort Randolph they will be sent on your and Col. Preston's writing to me.

I have it much at Heart to bring the Indians to treat on the subject of our Difference with them, perhaps the Grenadier Squaw may be usefull in this Business, please to confer on this matter with Col. Preston and let every possible Effort be made to bring on a Treaty. the Expences necessary for the Attempt I will pay on Demand. I forbear to mention particulars for beginning this Work as they must be better judged of on the spot, but at all Events try it vigorously.²⁶⁹

Wishing safety to you & your people I am Sir Y^r Mo. h^{ble} Serv^t
P. HENRY

Col^o Fleming Botetourt The County Lieutenant of Botetourt.

GOV. HENRY TO GEN. WASHINGTON.

(From W. W. Henry's "Henry," I, 546.)

Williamsburg, February 20, 1778.

Dear Sir: You will no doubt, be surprised at seeing the enclosed letter, in which the economiums bestowed on me are as undeserved, as the censures aimed at you are unjust. I am sorry there should be one man who counts himself my friend who is not yours.

Perhaps I give you needless trouble in handing you this paper. The writer of it may be too insignificant to deserve any notice. If I knew this to be the case, I should not have intruded on your time, which is so precious. But there may possibly be some scheme or party

²⁶⁹An almost identical letter was dispatched to Col. Preston, County Lieutenant of Montgomery, but with the addition of the following:

P. S. As there is no officer for Green Brier & 'tis an exposed place, I beg you to receive & distribute the Lead for that county. I will be glad to hear from you.

P. H.

2d P. S. If you judge it best, suspend the sending the fifty men from your County to reinforce Capt. Arbuckle's Garrison 'til you write me. Fifty from Botetourt I've ordered at all Events, & wish the fifty to go from yr County if you think it best.

P. Henry.

See W. W. Henry's "Henry", Vol. III, 544.

forming to your prejudice. The enclosed leads to such a suspicion. Believe me, sir, I have too high a sense of the obligations America has to you, to abet or countenance so unworthy a proceeding. The most exalted merit hath ever been found to attract envy. But I please myself with the hope, that the same fortitude and greatness of mind which have hitherto braved all the difficulties and dangers inseparable from your station, will rise superior to every attempt of the envious partisan.

I really cannot tell who is the writer of this letter, which not a little perplexes me. The handwriting is altogether strange to me.

To give you the trouble of this gives me pain. It would suit my inclination better to give you some assistance in the great business of the war, But I will not conceal anything from you by which you may be affected; for I really think your personal welfare and the happiness of America are intimately connected. I beg you will be assured of that high regard and esteem, with which I am, dear sir, your affectionate friend and very humble servant.²⁷⁰

P. HENRY.

His Excellency General Washington.

GOV. HENRY TO THOMAS SMITH, STATE AGENT.

(*From Virginia State Archives, Thomas Smith Papers.*)

M^r Smith is desired to take out the Tob^o & Iron from the Northampton Brigg & she is forthwith to take in Pork²⁷¹ for the head of Elk for the Grand Army. Of this Col^o Aylett is to have immediate Notice.

P. HENRY.

Feb 21st 1778.

Let the Grey Hound Cargo be sent to Suffolk & there deliv^d to Mess^{rs} Bajain Laport & C^o

[Indorsed:] Governor & Council
Instructions to T. Smith.

Feb: 21 1778.

(*From Journal of the Council.*)

Saturday February 21. 1778

The Board proceeded, agreeable to their Advertisement of the 23^d January last, to the appointment of Field Officers to Command the Volunteers that may be raised, pursuant to Act of Assembly, and Reverend John Todd,²⁷² of Louisa, & John Morton²⁷³ esq. of Prince Edward, were appointed in that Quarter to Command a Regiment- the former as Colonel & the latter as Lieutenant Colonel.

²⁷⁰See also letter of March 5, *infra*, and Washington's reply is published in W. W. Henry's "Henry", I, 549-550.

²⁷¹Pork was supplied by Col. Riddick. The assistant agent stationed at Suffolk was Archibald Richardson. See letter book of Thomas Smith, Virginia State Archives.

²⁷²The service of the Rev. John Todd does not appear in Heitman.

²⁷³John Morton, captain 4th Virginia, 19 February, 1776, had resigned March 12, 1777.

Tuesday February 24

The Board proceeded to the farther appointment of Field Officers for the Voluntier Service and accordingly Robert Lawson²⁷⁴ esq^r was appointed the Colonel of a Regiment & Thomas Helm²⁷⁵ a Major.

GOV. HENRY TO THOMAS SMITH, STATE AGENT.

(From Virginia State Archives.)

M^r Smith

I just hear the public Boats are Drifting at Portsmouth. Please to have them disposed of, & prevent their being Lost. I am

Sir

Yrs &c.

P. HENRY.

Feb 24th 1778.

Governors directions for disposing of the Transport Boats at Portsmouth. Feb^y 24th 1778.

(From Journal of the Council.)

Thursday February 26th 1778

The Board considering the Importance of removing every difficulty impeding the March of the Draughts from the Several Counties in this Commonwealth to join the Army of the United States and apprehending that the most considerable Obstacle may be the Want of Provisions for the Subsistence of the Men on their Way to the Place of General Rendezvous which from the dispersed Situation of the Draughts cannot be laid in at convenient Places, and for the Same Reason it will be difficult & very expensive to send to the different Counties the money necessary for Purchasing them, besides that it cannot at this distance be judged what Sum will be requisite for the several County's do advise the Governor to issue a Proclamation requiring the several County Lieutenants or next Commanding Officers of the Militia to appoint & agree with a Victualler for furnishing Provisions for the Men on their March to the place of rendezvous on as good Terms as may be, unless they or any of them may find it convenient to procure the said provisions in some other manner, And to engage in the name of this State, that whatever Money may be laid out for the above Purpose, either by the said Victualler, the County Lieutenants, or other Persons whatever on their requests, shall be repaid on demand, on producing proper Certificates from the County Lieutenants.

A Proclamation was issued accordingly.

The Board further proceeded to appoint Colonel John Smith of Frederick to Command a Regiment of Voluntiers- Lewis Burwell of

²⁷⁴Robert Lawson, major 4th Virginia, 1776; lieutenant-colonel, 13th August, 1776; colonel, 19th August, 1777; resigned 17th December, 1777; served subsequently as brigadier-general Virginia Militia.

²⁷⁵Thomas Helm had resigned his 2d lieutenancy of the 3d Virginia in November, 1777.

Mecklenburg to be a Lieutenant Colonel- William Pickett of Fauquier, Dandridge Claiborne²⁷⁶ of King William & John Nelson²⁷⁷ of York to be Majors; and the Governor was advised to give public Notice that the remaining appointments are postponed till the 16 next month.

Friday February 27th 1778

The proceedings of a general Court Martial in the trial of Lieutenant Walker Richardson²⁷⁸ of the second Regiment of State Troops for fighting a Duel with Lieutenant Triplett²⁷⁹ of the same Regiment Contrary to the Articles of War section 7th & Article Second, being laid by the Governor before the Board for their Opinion there upon and it appearing that the said Richardson was sentenced by the said Court to be cashiered for a Breach of the said Article, but that inasmuch as he had conducted himself as a Gentleman & Officer it was recommended that he be reinstated to his former Rank. The Council taking the same into Consideration are unanimously of Opinion that the said Sentence be confirmed, & to show the abhorrence of the practice of Duelling notwithstanding the recommendation of the Court advised his Excellency to let him remain Cashiered; which the Governor orders accordingly.

The County Lieutenant of Loudoun having complained to the Governor that the Draught of Militia which was appointed to be made in that County on the 16th of this Month agreeable to a late Act of Assembly was prevented by the violent & riotous behaviour of the People, in Consequence of which the 11th of March was appointed for Compleating that necessary Business, but that without some exertions of Government there was little reason to expect a more successful Issue than before and the Governor asking the Opinion of the Board thereupon they advised his Excellency to give Orders that in Case of another Opposition to the Draught the County Lieutenant transmit to him the names of the ring leaders on that Occasion, & that he farther desire the Attorney General to prosecute such Offenders in the General Court, with the utmost rigours of the Law.

Saturday February 28. 1778.

The Board considering that by an act of Assembly for establishing a General Court²⁸⁰ the Judges thereof are to be Commissioned on Monday next- they agreed that the Form of the Commission should be as follows- and directed the Clerk to get them prepared by Monday.

The Commonwealth of Virginia to all to whom these Presents shall come Greeting

Be it Know that by virtue of the Act of General Assembly, lately made intituled "An Act for establishing a General Court

²⁷⁶Dandridge Claiborne, major Virginia Militia, 1777-1779.

²⁷⁷John Nelson, captain Virginia Dragoons, 1776; assigned to 1st Continental Dragoons, January, 1777; resigned February, 1777; major Virginia State Regiment, 1779-1781.

²⁷⁸Walker Richardson, 2d lieutenant 1st Continental Artillery, 1778; regimental quartermaster, February, 1779; 1st lieutenant, August, 1779.

²⁷⁹George Triplett, 1st lieutenant 1st Virginia State Regiment, 1777-1781.

²⁸⁰Hening, IX, 401 *et seq.*

Esquire hath been, by joint Vote of both Houses of the GENERAL ASSEMBLY, appointed one of the Judges of the said General Court; to Hold & exercise that Office so long as he shall behave himself well therein. In Witness whereof, and in pursuance of the said Act Patrick Henry Esquire Governor of Virginia hath caused this Commission to be made. Given at W^msburg under the Hand & the Seal of the Commonwealth the Day of in the second Year of the Commonwealth Annoque Domini 1778.

Monday March 2^d 1778.

The Governor, with the Advice of Council, gave Orders for two hundred Men of the State Artillery & two Companies of Militia from each of the Counties of Norfolk & Princess Anne, to be sent to do Duty on the fortifications at Portsmouth till further Orders, in the room of the Continental Train of Artillery who will shortly march to join General Washington. The Militia are to be relieved once a fortnight by a like number of Militia from those respective Counties- the Governor was also pleased to direct that Lieutenant Colonel George Muter of the State Artillery do repair to that Station and take the Command.

The Governor this Day in open Court & in the presence of the Council of State administered the oaths appointed by Law to be taken by a Judge of the General Court unto Joseph Jones²⁸¹ John Blair²⁸² & Paul Carrington²⁸³ esq^{rs} who have been, by joint ballot of both Houses of Assembly, chosen Judges of the said Court; and then his Excellency delivered to each his Commission.

²⁸¹Joseph Jones, of George County (1727-1805), was an influential member of the House of Burgesses in the assemblies of 1772-1774 and 1775, a member of the Committee of Safety 1775, and of all the conventions of 1774, 1775 and 1776; a delegate to the Continental Congress, 1777-78 and 1780-83. He was judge of the General Court 1778-79, and was reappointed November 19, 1789. He was a member of the Convention of 1788, and in the Virginia State Militia he served as major-general. He was frequently a member of the legislature.

His sister Elizabeth was the mother of James Monroe, president of the United States.

Judge Jones's letters have been published by W. C. Ford ("Letters of Joseph Jones, of Virginia", Wahington, 1889.)

²⁸²John Blair, Jr. (1732-1800), son of the Hon John Blair, president of the Virginia Council. After graduating from the college of William and Mary he studied law at the Temple in London, England, and began practice in Williamsburg. Blair represented William and Mary College in the assemblies of 1766-1768, 1769, and 1769-1771. In the latter year he resigned to become clerk of the Council. In the Convention of May, 1776, he again represented the college, and was a member of the committee which in June, 1776, reported the Declaration of Rights and the State Constitution. He became chief justice of the General Court, and in 1780 a judge of the High Court of Chancery.

Judge Blair was a member, in 1787, of the convention that framed the Federal Constitution. Appointed by Washington a justice of the Supreme Court of the United States in 1789, he held his seat until his resignation in 1796.

²⁸³Paul Carrington (1733-1818), King's attorney of Bedford County in 1756; colonel of militia, 1764; burgess from Charlotte County from 1765 to 1775; county lieutenant of Charlotte, 1772; member of all the conventions from 1774 to 1776; a member of the Committee of Safety, 1775-1776; filled the office of judge of the General Court until 1807.

[In the proceedings of the Continental Congress for March 2, 1778, is found the following:

The Board of War, to whom the petition and remonstrance from the justices and field officers of the county of Northampton, in Virginia, in behalf of themselves and the inhabitants of the said county, was referred, report,

That the circumstances attending the counties of Accomac and Northampton, in the State of Virginia, are such as to render them peculiarly subject to the depredations of the enemy, and that there being also therein a large quantity of continental property, imported from foreign parts, and no guards regularly established for the protection thereof until removed, it is expedient, that the men raised by draft or otherwise, in the said counties, as part of the Virginia quota of troops, be ordered to remain in the said counties, subject to the order of Governor Henry and the council of Virginia, who are requested to embody them under proper officers who will attend to their government and discipline, and employ them in protecting the property of the United States, or in other military service until the farther order of Congress or the Board of War; and that the memorial of sundry inhabitants of the said counties, on the subject of these drafts be sent to Governor Henry, to be laid before the assembly of that State for their consideration, and that they be requested to take measures for the safeguard and protection of the said counties in case the said drafts shall be ordered to join the army." (See "Journals of the Continental Congress," Vol. X, p. 212.)]

GOV. HENRY TO BENJAMIN FRANKLIN.

(From W. W. Henry's "*Henry*," III, 150.)

Wmsburg in Virg^a, March 3^d 1778.

Sir: Captain Lemaire, the Gentleman whom you were pleased to recommend to his Excellency General Washington, will have the honor to deliver you this. He called here on his way to the Camp, & fell into Conversation with Mr. Loyauté our Inspector general of Artillery & Military Stores, on the Subject of his Department, in which are many capital Deficiencies. Understanding that there are many supernumerary officers in our Army, the Captain, desirous to render us his best Services, has agreed to return to France, & there to assist in procuring for this State such Articles as are absolutely necessary for our Defence. Mr. Loyauté has furnished an Invoice which the Captain carries to William Lee Esquire, Agent for this State, with a Letter from me desiring him to use every endeavour to procure the Articles specified, the want of which may be fatal to Virginia. Our Inspector has written to his Father, who I understand is Inspector of Artillery &c., in France, & to some other Friends, to assist the Agent with their Influence. For it may easily be conceived that we have not money deposited there ready to make payment for what we want. We have large Quantities of Tobacco ready on board Vessels bound to Nantz, & other ports of the Kingdom, which have been blocked up by the British Ships a long time.

The articles now sent for will serve to open that commerce, which I trust will be found an object worthy the attention of the French Nation, with whom it is our Wish to form the most interesting Connexions.

After all the signal Services which this State, in Common with America, has received at your Hands, may I be permitted, Sir, to hope for your pardon when I ask for one more? It is that you may be pleased to assist with your Influence the applications of Mess^{rs} Lee & Loyeaute & their Friends to obtain the Arms & Stores.

It gives me pain that you should thus be put upon the Business of Soliciting additional Favours for a people, perhaps altogether unknown to those you may have occasion to address. I wish rather to see you conferring Benefits. But for this, the Time is not yet come. It may one Day happen.

Chesapeake Bay is guarded by one English 64 Gun Ship & four 36 gun Frigates. They lord it here at present. We have two Frigates building, & some Galleys in service. However, I have no Expectation of facing the British power on the Water unassisted by France, whose Interposition would secure our Trade. At present the Inlets on our Eastern Shore, & that at Ocracock in North Carolina are the best Channels thro' which our Trade can pass. Thro' the latter I wish Captain Lemaire to return.

Tobacco, or any other production of Virginia, shall be shipped in such manner & to such places as the Agent can find acceptable, in order to make payment for the Arms & Stores specified in the Invoice. Added to this I can only say, that the State of Virginia will ever bear in grateful Remembrance the good offices you may please to render in this important affair. On behalf of the commonwealth I have the Honor to be, with Sentiments of the highest Regard and Esteem,²⁸⁴

Sir,

your most obedient &
very hble. Servant,

P. HENRY

Honble Benjamin Franklin Esq^r

(*From Journal of the Council.*)

Wednesday March 4th 1778.

The Council taking under their Consideration the Memorial of Captain Collinau of the French Snow²⁸⁵ Elegante, setting forth that his Vessel laden with two hundred & eight Hogsheads of Tobacco was treacherously delivered up to the british Ships of War lying in Rapahanock river by the Militia of the County of Lancaster altho the said Militia were at the time assembled as well for the purpose of protecting his said Vessell as for preventing the Enemys making Depreda-

²⁸⁴For Franklin's answer, dated February 26, 1779, see W. W. Henry's "Henry", Vol. II, p. 14.

²⁸⁵Snow—a small sailing vessel resembling a brig, carrying a main and fore mast and a supplementary mast close behind the main mast; formerly employed as a warship."—Oxford Dictionary.

tions on, or receiving or procuring Provisions from that County and also maturely Considering sundry Depositions of Persons examined by this board, lately transmitted to the Governor touching the Conduct of Captain Yerby who at that time commanded the Militia aforesaid; and for as much as this Board are of Opinion that the said Depositions tend to prove clearly that the said Captain Yerby & the Militia under his Command did treacherously & basely deliver up the Vessel & Cargo aforesaid to the british Ships of War whereby the said Captain Collinau has been unjustly deprived of his property to the amount of five thousand pounds, that is to say a Cargoe of Tobacco rated at three thousand five hundred pounds and a Vessel &c. of fifteen hundred pounds value- they do unanimously advise his Excellency the Governor to issue his Warrant on the Treasurer for the Sum of five thousand pounds payable to the said Captain Collinau agreeable to a Resolution of the general Assembly empowering the Governor & Council to enquire into the several Matters specified in this Order touching the said Captain Collinau as in their Opinion Justice & the Honour of the State may require.

And the Governor issued a Warrant accordingly

Saturday March 7th 1778.

The Council advised the Governor to direct that M^r Stuart Holt, who has been strongly recommended as a Skillful Pilot, be employed to cruize off Cape Charles & to keep a constant look out for the Enemy also to Conduct any friendly trading Vessels in & out the North Channel & through Smiths river upon the Eastern Shore seaside and his Excellency accordingly desired M^r John Bowdoin²⁸⁶ to engage with M^r Holt for that Purpose upon the best Terms he can.

It being represented to the Board by the Commissioners for superintending the Continental Ship Yard & by the Master Builder that the Public Business there must totally stop unless the Workmen can be exempted from Military Duty & that the said builder will return to the State of New York unless he can be furnished with Workmen to carry on the Business- The Council advise the Governor to direct the Commanding Officers of Militia in the Counties of Princess Anne & Norfolk to excuse from Military Duty until further Orders every Ship Carpenter, Black Smith, Joiner & one Clerk & one Assistant who shall be necessarily employed & in actual Service at the said Ship Yard for Public Purposes and also to represent to the next general Assembly the great necessity there is to exempt such Workmen as aforesaid from Military Service by a standing Law.

The Governor Orders the said County Lieutenants accordingly & promises to represent to the Assembly as above advised.

[On March 21 there was read in Congress a letter of Gov. Henry's dated March 8.- "Journals of the Continental Congress."]

²⁸⁶John Bowdoin was appointed assistant state agent on the Eastern Shore, but resigned early in the year. Capt. John Stringer was designated to succeed him.

Thursday March 12. 1778

A Letter was written to the Virginia Delegates in Congress respecting Provisions for the grand Army- (see Letter Book).

GOV. HENRY TO COL. WILLIAM FLEMING.

(From Thwaites & Kellogg, "Frontier Defense on the Upper Ohio", p. 225.)

W^mburgh March 14th 1778

Dear Col^o

Yours by Express came to hand yesterday, & I am much obliged by your attention to the severall matters I mentioned to you. Please to use the public Ammunition as you see fit, for your Defence. Draft the men from your County as divided or undivided as is most for the public service.

I am really concerned at the uneasiness you express from the Manner I mention'd the Death of the Indians. I know you too well to harbour the most distant suspicion that you ever approved what is in itself unworthy. Much less any thing glaringly wrong. Believe me I meant not the smallest censure, & I hope you will not think I did. I can give no particular Orders for Kentucki.

Please to march y^r Drafts to Alexandria Dumfries or George Town in Maryland & agree with a Victualler whom I will pay on rec^g your certificate. I refer to my proclamaⁿ on the subject, I am Sir Y^r mo. H^{ble} Servt

P. HENRY

Col. W^m Fleming.

(From Journal of the Council.)

Wednesday March 18th 1778.

Ordered that the Clerk do advertize in the Virginia Gazette for the Officers recruiting for the State Artillery to make returns of their Enlistments to this Board on the Seventh Day of next Month, & to march the men recruited by them, to Williamsburg by that time.

Thursday March 19. 1778.

The Board taking under their Consideration the Resolution of Congress of the 2^d Instant recommending to the Young Gentlemen of Property & Spirit in the several States to constitute a Troop or Troops of light Cavalry- they do advise the Governor to order the said Resolution to be printed in the Virginia Gazette & to assure such Young Gentlemen as may incline to stand forth in the Defence of their Country as recommended by Congress, that every encouragement & Support.

within the power of the Executive of this State shall be afforded to them- And the Governor ordered accordingly.²⁸⁷

The Board moreover taking under their consideration the repeated Orders of his Excellency for the Second Virginia Regiment to march to join the grand Army & for the officers belonging to the said Regiment to make returns of their Enlistments in order that their Commissions might issue and notwithstanding such orders it appears that the officers in many instances have failed to make any returns & others have recruited only part of their Quotas; they do advise the Governor to proceed to the issuing Commissions upon such Records & other Documents as are now before the Board in order that the said Regiment may march to head Quarters without delay.

[Here follows list of officers designated]

And whereas- it appears to be absolutely necessary, upon the March of the aforesaid Regiment to call in Militia for the protection & Defence of this Garrison, public Stores Magazines, public Treasury &c. the Board do farther advise the Governor to call in one division of Militia from each of the counties of New Kent & Surry to do duty at this Post to be relieved once a fortnight²⁸⁸ by an equal number of Militia from other adjacent Counties.

Friday March 20th 1778.

The Governor having laid before the Board Letters of the 19th February last from his Excellency General Washington ²⁸⁹ on the alarming Subject of the grand Army suffering through want of provisions & also an address from the General to the Inhabitants of New Jersey Pennsylvania Delaware, Maryland & Virginia recommending to the Inhabitants of those States to put up & feed immediately as many of their Stock Cattle as they can spare, so as that they may be driven to the army by the Months of May, June, & July next- the Council re-

²⁸⁷In Journal of the Continental Congress, August 8, 1778, occurs the following:

Whereas, in pursuance of the recommendation of Congress of 2d March, a volunteer corps of cavalry from the State of Virginia, under the command of the hon. General Nelson, are now in the city, on their way to the army under the command of General Washington; and whereas, the removal of the enemy from this State renders the employment of this corps at present unnecessary:

Resolved, That it be recommended to the said corps to return.

Resolved, That the thanks of Congress be returned to the hon. General Nelson and the officers and gentlemen under his command, for their brave, generous and patriotic efforts in the cause of their country.

A motion was made to add to the foregoing resolution as follows, "and that it be warmly recommended to the inhabitants of the several states to imitate, in public emergencies, the virtuous conduct of the volunteers from Virginia".

²⁸⁸These "tours of duty" have misled historians with regard to the total number of Virginians who saw service during the war. The men under arms on a given date are no criterion of the number called to the colors in the course of a year.

²⁸⁹General Washington had written: "For several days past we have experienced little less than a famine in camp, and have had much cause to dread a general mutiny and dispersion. Our future prospects are, if possible, still worse * * *".

flecting seriously on the purport thereof advise his Excellency the Governor to order the said address to be inserted in the Virginia Gazette with a recommendatory line from him to those Inhabitants who can possibly spare Cattle that may be fit for use by May June & July to give Information thereof to the County Lieutenants to acquaint his Excellency with the Number of Cattle which may be procured from each County respectively.

Wednesday March 25 1778.

The Governor laid before the Board sundry Dispatches from Congress & the Board of War requesting a speedy supply of Lead from this Country whereupon the Board do advise his Excellency to write To Colonel Lynch the manager of the Mines to push on the Work of running Lead with the utmost Exertion- And his Excellency having prepared a Letter accordingly the Same was read aproved of & ordered to be recorded. A Letter was also written to General Gates President of the Board of War on the Subject & ordered to be recorded.

The Board having experienced very great inconveniences for some time past from the Want of a faithful & capable Person to Act as Secretary & Interpreter of the French & other foreign Languages and it being evident from our growing Communication with foreigners that this want will be attended with greater difficulties in future, are of Opinion that a Proper Person ought to be employed, whose business it shall be to attend on the Board as often as he shall be called upon to interpret & translate into the French & English Languages reciprocally as well as any other Languages he may understand, all verbal & written transactions in which the Board may be concerned & to enter & preserve such of their proceedings in foreign Languages as may be prescribed to him & M^r Charles Bellini²⁹⁰ being well recommended to the Board as a Gentleman possessed of the requisite Qualifications for such an Office they do advise the Governor to appoint him thereto with a Salary at the rate of two hundred pounds per annum & to apply to the General Assembly at their next meeting to make the said Office & Salary permanent. The Governor was pleased to appoint M^r Bellini Secretary & Interpreter accordingly & to promise to apply to the Assembly as above advised.

(From "Journals of the Continental Congress.")

April 6, 1778.

A Letter of 26 March, from Governor Henry of Virginia; one, of 20 March, from Thurmer Hoggard, of Princess Ann, Virginia; and one, of 20 March, from Maxwell and Loyal,²⁹¹ were read:

Ordered that they be referred to the Marine Committee, who are directed to report thereon.

²⁹⁰It is supposed that Bellini came from Italy to Virginia with Mazzei, the friend of Jefferson. He held in William and Mary the first chair of Modern Languages established in an American college.

²⁹¹Captain Paul Loyal.

April 9

The said committee, to whom was referred the letter of Thurmer Hoggard, brought in a report; Whereupon,

Resolved, That it be referred to Messrs. Maxwell and Loyal, superintendants, and to David Stodder, master builder of the continental frigates, building in Virginia, to consider and report their opinion to the Marine Committee, whether an allowance, and, if any, what allowance should be made to Thurmer Hoggard, for the frame furnished by him for one of the said frigates, over and above the price originally stipulated, and in like manner to consider and report their opinion with regard to the frame of the other frigate agreed to be furnished by Thomas Talbut, deceased, to whom the said Hoggard is executor.

(From Journal of the Council.)

Friday March 27th 1778.

His Excellency having laid before the Board a Letter of the 14th Instant from Colonels Preston & Fleming recommending that a Post of Communication with Fort Randolph should be fixed at Kelleys, & other Steps to be taken for the Security of the Frontiers- they advise his Excellency to write a Letter to those Gentlemen desiring them to order fifty men from Botetourt & fifty men from Rockbridge to do duty at Fort Randolph, And his Excellency is also advised to issue his Warrant upon the Treasurer for one thousand pounds payable to William Neilly to be conveyed to the said Colonels Preston & Fleming who are desired to put it into the Hands of such a Commissary as they may appoint taking Bond & Security to account for this or more money which may be given him to Conduct the business of Commissary to the Militia on actual Duty- A Letter was accordingly written & a Warrant issued.

It appearing from sundry Depositions transmitted to the Governor that James Hall, William Roane & Hugh Galbreath of Rockbridge, Malcolm McCann of Augusta & Adam Barnes of Green Brier were deeply concerned in promoting & perpetrating the atrocious & barbarous Murder of the Shawanese Indians on the 10th of November last at Fort Randolph- the Board do advise the Governor to issue his Proclamation requiring the Citizens of this Commonwealth more especially all Officers Civil & Military to use the most vigorous exertions to bring these desperate Offenders to the Punishment due to their Guilt & as an encouragement thereto as well as a Proof of the Public abhorrence of such detestable Crimes to offer to such Person or Persons who shall secure any of the above Offenders so that they be brought to Justice the following rewards that is to say two hundred Dollars for James Hall one hundred & fifty for Malcolm McCann & one hundred Dollars for each of the others.

GOV. HENRY TO COL. WILLIAM PRESTON AND COL. WILLIAM FLEMING.

(From Thwaites & Kellogg, "Frontier Defense on the Upper Ohio," p. 240.)

W^msburgh Mar 27 1778.

Gentlemen

As you prefer Kellys for the new post, please to order one hundred men officer'd in the usual Manner to do Duty there in the Way most likely to answer a good purpose, during such time as the safety of the Frontiers shall require. Fifty of these men are to be drawn from Botetourt & the other fifty from Green Bryar. I order the fifty men from Rockbridge to Fort Randolph which you advise. Montgomery need not send any if you judge it best, to that post. Let the men necessary to defend Montgomery be embodied & properly stationed. I send one thousand pounds cash by M^r Neilly to put into the Hands of such commissary as you shall Appoint. He ought to give Bond & Security to account for this or more money which may be given him to conduct that Business.

I send some printed proclamations against the Murderers of the Indians, please to distribute some to the countys most proper, & send others to the Indians, with whom I ardently wish a Treaty. Will you please to tell me what preparations you judge best to make in order to facilitate this work of peace? For indeed the Injustice of pursuing by offensive & vigorous Measures, those whom by our Injustice have been provoked to Hostility, is too striking & shocks me. I am Gent^l Y^r mo. hble Serv^t

P. HENRY

To Col^{os} W^m Preston & Fleming

(From Journal of the Council.)

Saturday March 28. 1778.

His Excellency also wrote a Letter to Colonel George Muter in answer to his several Queries- a Copy of which is filed & ordered to be recorded.

Monday March 30th 1778.

The Board considering the great vigilance & Success of the British Ships in Capturing the Vessels of Foreigners seeking a Trade with us & the discouragement occasioned by such losses to future adventurers by which means the Public may be deprived of many supplies absolutely necessary for the prosecution of the war, do advise the Governor to direct a convenient number of Pilots to be employed for the Purpose of Conducting into the Ports of this State all Vessels belonging to Foreigners or to the State and as an encouragement to so important a Service to offer besides their daily pay a Premium of four Shillings per Ton for every such Vessel safely brought into Port.

Tuesday March 31. 1778.

The Governor having received & laid before the Board sundry Letters from General Washington & the Virginia Delegates in Congress representing the present situation & future prospects of the grand army with respect to Provisions in the most alarming colours & pressing it on the Executive of this State to exert every expedient in their power to provide the necessary Supplies for the ensuing Campaign- The Board do advise him to appoint M^r John Hawkins²⁹² a purchasing Agent for the above purpose with Instructions to engage & forward with the utmost dispatch to the Army as much Beef & Bacon as their Wants may require or he may be able to procure, for altho M^r Hawkins's Service cannot be had for less than one hundred & sixty six pounds thirteen shillings & four pence per month besides the allowance for such Agents as he may think his Success in the matter requires, yet the Board considering his singular Talents for the Task he is to be employed in are of Opinion that less expence will in the end be incurred as well as greater Security afforded for the Subsistence of the Army by acceding to his Terms than by entrusting this important business to any other person they can employ.

M^r Hawkins having entered into Bond with Security for the faithful discharge of his office- the Governor granted him three Warrants for two thousand pounds each upon Account.

Wednesday April 1. 1778

The Governor laid before the Board a Letter which he had prepared to General Washington letting him know of the appointment of M^r Hawkins to purchase Beef & Bacon for the Continental Army, and also informing of his Excellency that he will draw on our Delegates at Congress desiring them to pay to his Excellency or to such Person as he may please to appoint to Act as temporary paymaster for the purpose- thirty thousand Dollars to pay the additional twenty Dollars bounty allowed by this State to the Soldiers who have reinlisted- a Copy whereof is filed & ordered to be recorded.

Thursday April 2^d. 1778.

The Governor laid before before the Board a Letter which he had prepared to the Virginia Delegates in Congress²⁹³ informing them of M^r Hawkins's appointment; and desiring that they would pay to his Excellency General Washington or any Person he may please to direct thirty thousand Dollars for the Purpose of paying to such Soldiers of Virginia regiments as have reinlisted, the twenty Dollars additional bounty allowed them by this State, the General having, in his Letter of the 19th February last, informed his Excellency that the Method of paying the Additional State bounty, that appears to him most eligible,

²⁹²Hawkins had been highly recommended by Jefferson in a letter of March 27. The new agent died in a very short time. See *infra*, Journal of the Council, May 26, 1778.

²⁹³Read in Congress on April 11, and referred to a committee of three, Mr. Lee, Mr. Drayton and Mr. Scudder.

is that of sending the Money to Camp, with a temporary paymaster, to be issued on Warrant from him agreeable to muster rolls & abstracts, authenticated in the same manner as practiced in other Cases which Letter being approved of is recorded in the Letter Book.

Friday April 3^d 1778.

The Board being informed that the Divisions of Militia lately called in from the Counties of New Kent & Surry are insufficient to mount the proper Guards- they do advise the Governor to call a Division from Charles City to be relieved once a fortnight.

Saturday April 4. 1778.

The Governor with the Advice of the Council issued the following Warrants- viz

A Warrant for Sixty four pounds payable to Joseph Lewis De Beaulieu upon account to recruit men sufficient to entitle him to a first Lieutenancy in Captain De Laportes Company of French Troops in the Service of this State (Bond ex'd) also

A Warrant for One hundred & two pounds eight Shillings payable to Captain Laporte upon account to recruit a Second Lieutenants Quota for some person to be hereafter appointed (Bond executed) also

A Warrant for Sixty four pounds payable to Andrea LeBaud on account to recruit an Ensigns Quota for the said Company. (Bond executed) also

A Warrant for Sixty four pounds payable to Peter Duboi upon account to recruit an Ensigns Quota of Men for Captain Carlions Company. Bond executed.

Monday April 6th 1778

Pursuant to an Act of Assembly intituled An Act for establishing a high Court of Chancery, the Governor did this day in open Court and in presence of the Council of State, administer the Oaths required by the said Act to be taken by the Judges of the said Court, unto Edmond Pendleton, George Wythe & Robert Carter Nicholas esquires who have been chosen by the Joint Ballot of both Houses of Assembly- and then his Excellency delivered to each his Commission under the seal of the Commonwealth and Signed by him.

Tuesday April 7th 1778

A Letter was written by the Governor, with the Advice of the Council, unto Southy Simpson, Isaac Smith, John Burton, & John Harmanson Esquires respecting fortifications to be erected on the Eastern Shore- which Letter is recorded in the Letter Book.

This being the Day appointed for the Officers recruiting for the State Artillery to make returns of their Success therein, and sundry of them having sent in Returns accordingly; from which it appears that the following Gentlemen have made so little progress that Governor & Council are induced to discontinue them from recruiting, & to order that they deliver in to the Commanding Officer here, a List of the Men

by them respectively recruited viz. Peterfield Archer, Robert Boush, William Owens, William Harris, Mills Wills, John Watlingham, George Dudley, Ralph Graves & Jesse Crump. And it is further ordered that the aforesaid Gentlemen do account for the Money advanced to them respectively.

The Board being credibly informed that his Excellency General Washington has been unsupplied for some time past with many articles of Living which Custom & the great fatigues to which he is constantly exposed must make necessary to the preservation of his health; and considering that it may be impossible to provide these Articles in the exhausted part of America where the Army is at present fixed, do advise the Governor to direct the Commissary of Stores to procure a Stock of good rum, wine, Sugar & such other Articles as his Excellency may think needful & send them on to head Quarters- to be charged either to the Continent, or to be considered as a present; & the Governor is advised to inform them at their next meeting of his proceedings herein.

GOV. HENRY TO RICHARD HENRY LEE.

(From W. W. Henry's "*Henry*," I, 559.)

"W^msburgh, Apl 7th 1778.

Your letter from Belleview came to hand, my dear sir, by the last post, I assure you I wish all your letters may be as long. As usual I am in a great hurry, & seize a moment by this Messenger to tell you that the necessity of adopting vigorous measures in the Commissariate induced me to appoint Hawkins, over whom I exerted all my personal Influence, & with great difficulty got him to undertake the Business. He has given one-half his salary, which appears at the first view large, to an able hand (R^d Morris) who is a fine accountant & man of Fortune. I am really shocked at the Management of Congress in this Department. John Moore's appointment gave me the most painful feelings. Good God! Our Fate committed to a man utterly unable to perform the task assigned him! Raw, inexperienced, without weight, consequence or acquaintance with men or business; called into action at a time when distinguished talent only can save an army from perishing. I tell you, & I grieve at it, Congress will lose the respect due - - - but I forbear. 'Tis my business to exert all my powers for the Common Good. I must not be depended on for anything in that line if Hawkins is rejected by congress. If he is continued, pray supply him with plenty of money. He is really superior to any one in that way, & of established credit to any amount.

I've advanced money, & published repeated orders for the march of the new Levys, & on receipt of yours have addressed the continental Officers on the subject. But there is great Langor among them. I've sought for good hands to set out on the recruiting Business you mention, & will make an effort, & by the success of that shall judge if any thing can be done. Gilmour, I think, ought to be dealt with, but the powers of the Executive will not reach so far as the seizing of papers. 'Tis

indeed too much cramped. However will think further on the subject. I am really so harrassed by the great load of continental Business thrown on me lately, that I am ready to sink under my Burden, & have thoughts of taking that rest that will I doubt soon become necessary. For my strength will not suffice. You are again traduced by a certain set who have drawn in others, who say that you are engaged in a scheme to discard General Washington. I know you too well to suppose you attempt any thing not evidently calculated to serve the cause of Whiggism. To dismiss the General would not be so: ergo &c. But it is your fate to suffer the constant attacks of disguised Torys who take this measure to lessen you. Farewell my dear Friend. In praying for your welfare I pray for that of my country, to which your life and service are of the last moment.

I am in great Haste,
Y^r aff^{te}

To Richard Henry Lee,
At Congress.

P. HENRY.

GOV. HENRY TO GEN. WASHINGTON.

(*Washington Papers, Library of Congress.*)

Williamsburgh Ap^l 8th 1778

Dear Sir.

I beg the Favor of you to accept from the Governor & Council, the Articles contain'd in the enclosed Memorandum. They go by a Galley to the Head of Elk addressed to Col^o Hollingsworths²⁹⁴ Care. I wish they were more worthy your Acceptance.

With sincere Regard I am

Dear Sir

your most obedient & very
humble Servant

P. HENRY

[Addressed:]

His Excellency General Washington at Head Quarters with sundry
Packages

[Endorsed:]

Hon^e P. Henry

Answ^d

[2d Endorsement:]

Williamsburg 8th Ap^l 1778 from Governor Henry with List of
Stores sent his Excell'y Ans^d 16 May

(*From Journal of the Council.*)

Thursday April 9th 1778

Ordered that the Clerk do give notice in the Public Gazettes that the Vacancies in the State Regiment of Artillery will be filled up by appointments of such Proper Persons as shall make application to this Board on the first Day of may next.

²⁹⁴Henry Hollingsworth, colonel Maryland militia.

The Board being of Opinion that some Method for furnishing our Agent in France with a Sum of Money sufficient to pay for the Arms Military Stores & other Articles which he has been directed from time to time to purchase for this State, should be speedily adopted; they do advise the Governor to give William Lee Esquire, Agent in France for this State a Power, in writing under his hand & the Seal of the Commonwealth, to borrow of his most Christian Majesty or any other Person, any Sum not exceeding two Millions of Livres for that Purpose & to pledge the Faith of the Commonwealth for the due payment thereof. Which Method was accordingly adopted by the Governor- And a Letter on the Subject was prepared to M^r Lee & ordered to be recorded.

Friday April 10th 1778.

A Letter was written to Governor Johnson requesting that some of the Maryland Gallies may be directed to cooperate with the Gallies of this State directed to be stationed at Cape Charles Channel, otherwise called the North Channel, for the Protection of Trade- Also a Letter to the Virginia Delegates in Congress in answer to theirs respecting the speedy marching of the new recruits to join the grand Army- Copies of the said Letters are filed & ordered to be recorded.

GOV. HENRY TO WILLIAM LEE.

(*From Letter-Book of Thomas Smith, Agent, 1777-1778, p. 34.*)

Virginia W^msburg 10th April 1778.

William Lee Esq^r
Sir

I have taken the liberty to apply to you several times lately to assist us in procuring the means of defence against the Enemies of America it gives me pain to be under the Necessity of making further Application to you, but we find it will be Impossible to Import Cloathing for our Soldiers for the Next Winter and other Necessaries unless we Can Obtain an Extensive Credit, our Bay is so Blocked up by the British Cruisers that very few vessels of Burthen Escape however if this was not the Case, we have not Vessels Sufficient to transport Tobacco Enough to purchase the Articles we want I flatter myself Our trade is an object of Such importance to the French that on proper Application the Court will Indulge us with a Loan Necessary to procure the Goods- The Sum we wish to Borrow, is Two Million of Livres, which will not be more than we Shall have Occasion to lay out in the course of Twelve Months, in order to Discharge the Loan and the Interest arising thereon, we will Ship Tobacco in such Good Vessels as may be Sent here for that purpose, and Allow what you think a proper freight, the Tobacco to be sold on Acco^t of the State. I must in behalf of the Common Wealth Intreat you Sir to use your best endeavours to Borrow the Sum Mentioned, either out of the Kings Treasury or of Individuals. I am told very few of the Merch^{ts} of France have Large Capitals, & therefore it is improbable that you will Succeed with them- Whether the Gentlemen not Concerned in Trade will think it a Matter worth

Attention I do not know, but I am persuaded the King is Disposed to aid us & Tobacco is so Essential an Article of Commerce, I must suppose he will lend a favourable Ear to a Petition in our behalf. If you can by any means procure the Money or Credit for us, you will be pleased to have the Goods Shiped as soon as Possible agreeable to the Inclosed Invoice if there is War Between France & Britain, let them be sent directly to Virginia in fast Sailing Armed Vessels, with orders to fall in with the Coast rather to the Northward of Cape Charles and to go into some of the Harbours of the Eastern Shore or in to Chesapeake Bay as may be found most safe we shall endeavour to keep Boats at Cape Charles and on the Sea Side to look out & to Pilot all Vessels into Safe Harbours. If there is no War between France & Britain, let the Goods be sent in French Vessels to Cape Francois, and there Delivered to our agent Rawleigh Colston Esq^r from thence we Can Import them, Cannon excepted, in Small fast Sailing Vessels we have provided, and are Providing for that Purpose, and Whether sent directly to Virginia or to Cape Francois let the Goods be Insured- it will be proper to send them in Different Vessels that we may not be altogether disappointed. It is Supposed many of the British Vessels will Cruise this Summer off Occracock²⁹⁵ and the other Inlets of N^o Carolina to intercept our Trade; we therefore think it will be best to order the Vessel that bring the Articles wrote for by Cap LeMair, & the heavy Cannon now ordered, into the Harbours on the Ea. Shore of Virginia or perhaps the Pilot may bring them into the North Chanel of our Bay which we shall endeavour to guard with our largest Gallies.

I send herewith Copies of the letter & Invoice by Cap^t LeMair We mean to have the Tobacco Insured which we Ship in the Vessels you are to send, & the Mode we intend to adopt is immediately upon the Arrival of any such Vessel here to advise you of the time She will probably sail from this and of the Quantity of Tobacco to be put on Board, we Mention this matter Now that it may by no means be ever Neglected, in Case the letters of advice from the State agent Should at any time Miscarry I am with respect

S^r

your mo. Hble. Serv^t

P. HENRY

[A copy:]

GOV. HENRY TO GOV. JOHNSON OF MARYLAND.

(From W. W. Henry's "*Henry*," III, 155.)

Williamsburg, April 10th, 1778.

Sir: I am induced once more to trouble your Excellency on the subject of assistance to our marine. The trade of this state is almost annihilated, that of Maryland must also be much injured by the enemy who have so long blocked our capes.

In order to make the most of our situation, I earnestly advise to

²⁹⁵In the instructions of Thomas Smith, agent, to the captain about to make the West Indian voyage, warning is repeatedly given to avoid Occracock, on their return, and seek, if possible, some inlet of the Eastern Shore.

place a force in the Cape Charles Channel, otherwise called the North Channel, sufficient to protect such of the trade as may incline to pass that way. And I am sanguine enough to hope, that if such a force was procured, very extensive good consequences would follow. I have given directions for three galleys to be stationed there. These perhaps may serve some good purpose for a short time; but I am almost certain that when the enemy have a little time to collect proper vessels, they will be driven away, or taken, unless they are reinforced. This cannot be done without the assistance of Maryland. I entreat that two at least of your Galleys may be directed to co-operate with ours in this salutary work. I am the rather induced to ask this, as some of ours are engaged in transporting necessaries and provisions to the Grand army. The good sense of Your Excellency will easily discover the necessity of sending Galleys of considerable force, inasmuch as small ones will be exposed to danger from the sea, as well as the enemy, and fail of giving the necessary aid.

With great Regard, I have the Honor to be, Sir,
 Your Excellency's most obedient & very
 humble servant,

P. HENRY.

His Excellency, Thomas Johnson,
 Gov^r of Maryland.

(From Journal of the Council.)

Saturday April 11th 1778

A Letter was written to the Honble Horatio Gates Esquire President of the Board of War, in answer to his of the 28th March respecting Cartouch Boxes &- a Copy filed & ordered to be recorded.

The Board having received authentic information that General How is reinforcing himself with Troops from New York & Rhode Island from which it is inferred that he meditates vigorous & immediate Operations against the American Army & it appearing that the Corp of Volunteers destined to reinforce General Washington is not likely to be raised so that if Assistance should be called for from this State it can be supplied in no other way than by Draughts from Militia: The Board farther Considering that large Draughts from the Militia will probably be necessary for the Defence of the Western Frontiers against the Incursions of the Indians & that we must have recourse to the same means of Defence in case a Descent should be made on our Sea Coast they do advise the Governor to address a Circular Letter to the County Lieutenants of this Commonwealth requiring their most strenuous Exertions in equipping their respective Militias & getting them in readiness to march whenever necessary at a moments warning. And the Governor having prepared a Letter accordingly the same was read approved of & ordered to be recorded.

GOV. HENRY'S CIRCULAR LETTER.

(*From Thwaites & Kellogg, "Frontier Defense on the Upper Ohio," p. 262.*)

Williamsburg, April 12, 1778.

Sir,

The season is now come when the enemy will again take the field, and perhaps, by means of an increased number of forces, may oblige the continental army to retreat, and so overrun and ravage a great extent of country. In order to check this destructive progress, it is more than probable that assistance from Virginia will be called for. As the volunteer scheme does not promise to succeed, the militia will be our only resource, and from that must be drawn so many men as the exigency may require. Added to this, our own country is liable to be invaded on all sides, and a prudent regard to our safety, nay our existence, demands that we be prepared to resist.

The design of this address is to require your most strenuous exertions to get your militia in readiness. In a particular manner, I entreat your attention to the arms and accoutrements of the men, and to see that one third part of them be put into readiness to march at a moment's warning. I desire that you will be particular in getting returns from your Captains, by which the repairs necessary to be made to the arms and accoutrements may be discovered; and, after orders are given for these repairs to be made, you will order other returns, by which you may see whether they are properly executed. Let powder horns and shot bags be provided, where cartridge boxes cannot. A particular report of the number of your men, and the condition of their arms and accoutrements, when you have executed these orders, will be necessary; and I shall expect it with impatience, equal to the importance of those consequences which will follow from the punctual discharge of your duty. I am, Sir, Your Most humble Servant,

P. HENRY.

(*From Journal of the Council.*)

Thursday April 16th 1778

John Page Esquire Lieutenant Governor.

At the request of M^r Bowdoin one of the owners of the Ship *Custis* it is agreed that the Tobacco belonging to this State on Board the said Ship may be relanded- And the Lieutenant Governor is advised to direct the Public Agent to receive the Tobacco & safely store it in Proper houses till further orders.

A Letter was written to Col. George Mason respecting the said Tobacco a Copy of which is filed & ordered to be recorded.

The above proceedings are to be subject to the future Controul of the Board- there not being Members present sufficient to constitute a regular board.

Friday April 17th

John Page Esquire Lieutenant Governor.

The Congress having sent thirty thousand Six hundred & three Dollars to reimburse this State for so much advanced by order of the Governor & Council the 13th February to Alexander Rose Esquire agreeable to the Request of the Continental Treasury Board by Letter of 24 Jan^y last- the Treasurer of this Commonwealth is desired to receive the Same and Place it to the Credit of the Continental Account charging that account with twenty thousand Six hundred & three advanced by him & ten thousand Dollars paid to M^r Rose in Charles Town by our Agent Maurice Symonds Esq.

Captain James Quarles & other Officers of the Second State Regiment who were left to carry on the remainder of the Men, representing that the Paymaster of the regiment went on with the first Division & did not leave Money for the Months Pay now due to those Men left behind on account of the Small Pox- his honour the Lieutenant Governor is advised to direct M^r William Armistead to lend them four hundred & fifty pounds taking their Receipt & promise to return the Money as soon as they can receive it from the Paymaster.

GOV. HENRY TO GEN. WASHINGTON.

*(From W. W. Henry's "Henry," III, 156.)*W^msburgh Apl 18th, 1778.

Dear Sir: I beg the Favor of you to accept from the Governor & Council the Articles contain'd in the inclosed Memorandum. They go by a Galley to the Head of Elk addressed to Col^o Hollingsworth's Care. I wish they were more worthy your acceptance.

With Sincere Regard, I am,

Dear Sir,

Your most obedient & very humble Servant,
P. HENRY.His Excellency, General Washington,
at Head Quarters.*(From Journal of the Council.)*

Thursday April 23, 1778

[Recess since Friday 17th]

John Page Esquire Lieutenant Governor.

It appearing that the Garrison of Portsmouth is in a very weak Condition & it being found difficult to send them any reinforcements of Militia the People being under great apprehensions of Danger from the Small Pox which has broke out at that Post- the Lieutenant Governor is advised to order the French Company under the Command of Captain Laporte to hold themselves in readiness to march to Portsmouth on Monday next.

Tuesday April 28th 1778

Dudley Digges Esq^r Lieutenant Governor.

The Commissary of Stores is directed to furnish those Gentlemen of the City of Williamsburg who have engaged to serve as Volunteer Cavalry agreeable to the recommendation of Congress, with such necessary Cloathing as they may want not exceeding Cloth sufficient to make a Horsemans Cloak, Coat & Waistcoat; Linen for two Shirts & two pair of Stockings for each Voluntier- they paying for the same.

Wednesday April 29th 1778

Captain Laporte, who was Ordered to make ready to march to Portsmouth, is directed to proceed with his Company without delay to Hampton there to remain till further orders, it being represented that that Garrison is in a very weak Condition.

And it is also ordered that Captains Southall & Harwood do furnish Six Men from each of their Companies of the City Militia with a proper Officer, to keep Guard at the New Magazine, in the room of Captain Laportes Men till they are relieved.

Thursday April 30th 1778.

Present

His Excellency the Governor²⁹⁶ etc.

The Business hitherto done without a regular Board was this day laid before them and was approved of.

Friday May 1st 1778

Upon considering a letter from M^r John Lewis- the Board do agree to take of him the deficiency of ten thousand pounds of Powder, which he failed to supply by the Time limited in the Contract for that Quantity, & to take from him any additional Quantity he may furnish within twelve Months from this time at the same price of Six Shillings Per pound.

The Governor laid before the Board a Letter from Colonel Muter informing him that Phillips the noted Traitor has again made an Insurrection in Princess Anne County at the head of fifty Men, Whereupon they do advise his Excellency to order one hundred Men from the Militia of Nansemond to act in Conjunction with the Party which Colonel Thomas R. Walker may raise for quelling these Insurgents- to offer a Reward of five hundred Dollars for apprehending Phillips the Ring-

²⁹⁶In appraising the work of Patrick Henry as governor of Virginia during the Revolution the historian must note his frequent absences from his post. Some of the most weighty decisions were reached during these periods. Fortunately the resident Dudley Digges was always at hand, and John Page absented himself at rare intervals only.

leader²⁹⁷ dead or alive & to direct that the Booty taken from the said Insurgents be divided amongst the Captors thereof- His Excellency having written Letters to the County Lieutenant of Nansemond, Colo. Thomas R. Walker & Colonel John Wilson on the Subject the same were read approved of & ordered to be recorded.

May 2^d 1778

Upon considering the weak condition of the Garrison at Hampton and the Little prospect there is of strengthening it, the Militia being apprehensive of Danger from the small pox- the Board do advise the Governor to order all the Public Property that is not useful in case of an attack to be removed & his Excellency wrote a Letter to the Commanding Officer at that Post on the Subject- Copy filed & ordered to be recorded.

[The General Assembly convened on Monday May 4.]

Tuesday May 12th 1778.

The Board being informed of Colonel William Prestons exposed Situation on the Frontiers and that it was apprehended (should he be obliged to remove) most of the back Inhabitants would quit their Settlement. They do advise the Governor to empower Colonel Preston to keep a Serjeant & twelve men stationed at his House at Drapers Meadow, to enable him to continue at his Habitation & to encourage others to do so.

(From Journals of the Continental Congress.)

May 2, 1778.

Congress took into consideration the report of the committee to whom was refereed the letter from the commissioners at Pittsburg; Whereupon,

Resolved, That two regiments be raised in Virginia and Pennsylvania, to serve for one year, unless sooner discharged by Congress, for the protection of, and operation on, the western frontiers; twelve companies in Virginia and four in Pennsylvania; each non-commissioned

²⁹⁷"Josiah Phillips, a laborer of Lynnhaven Parish in Princess Anne county was commissioned by Lord Dunmore to raise a body of men for service. After assisting the Governor along the coast in his depredations, Phillips retired to his native county and there began a series of murders, robbing, ravaging, and burning houses. Peaceful citizens knew not at what hour of the night this band of a dozen ruffians would steal upon them and apply the torch. Silently and swiftly he moved, and guardedly retreated to the heart of the swamp country, where few men could or would follow, and where friends and relatives were ready and eager to aid and conceal them. It was proposed as a means of conquering this desperate band of Loyalists that their friends be removed to the interior. *** The reward ** had the desired effect and Phillips was captured and tried at Williamsburg in the ordinary civil court for one of his crimes. He was convicted and hanged, December, 1778. Two of his associates paid a like penalty. George's "Virginia Loyalists", *Richmond College Historical Papers*.

See also the article by W. P. Trent in the "American Historical Review", Vol. I, 440-454; Henings "Statutes at Large", Vol. IX, 463; *Virginia Gazette*, December 4, 1778.

officer and soldier to receive twenty dollars bounty, and the same cloathing with the other continental soldiers: Every non-commissioned officer and soldier who shall find his own blanket, musquet or rifle and accoutrements, shall have the same allowance as is given by Congress to the drafts from the militia for filling up the continental regiments:

That Brigadier General Hand be recalled from his command at Pittsburg agreeably to his request:

That a proper officer be immediately sent to take command on the western frontier:

That a proper person be appointed to perform the duties of a quarter master, commissary and pay master to the militia of the counties of Rockingham, Augusta, Rockbridge, Bottetourt, Montgomery, Washington and Greenbriar, In Virginia;

That the commissioners at Fort Pitt, or in their absence, the officer appointed to command on the western frontier, be authorized to appoint a person to perform the duties aforesaid, and the officers necessary for commanding the battalions above mentioned:

That General Washington be desired to appoint the officer to take the command at Fort Pitt and western frontiers, and that a copy of the commissioners' letter be sent to the General.

[This report is in the writing of Francis Lightfoot Lee, with the exception of the last paragraph, which is in that of Henry Laurens.] "Papers of the Continental Congress," No. 21, I, folio 205.

GOV. HENRY TO COL. WM. FLEMING.

(*Draper Papers, 2Z7.45.*)

W^ms^burgh May 5th 1778

Sir.

I am just fav^d with the rec^t of yours by Col^o Henderson. Be pleased to abide by the Orders sent from me of March 27th as you think those of Gen^l. Hand too complex, & I can't help joining you in Opinion-Yours & Col^o Prestons Address to the Shawnese is very proper & I wish for y^{rs} & his further Assistance in that Business if Occasion shall offer. If you & Col^o. Preston shall judge that the Fifty men ordered from Green Bryer to Kellys can be dispensed with, please to inform Col^o. Stewart of it. I have written him that I refer the Matter to you; for I rec^d from him a Letter in which he observes that all the men in that County will be necessary to defend their own places & thinks the Botetourt men (50), will be sufficient for the Post at Kellys. With my Compliments to Col^o Preston I am

Sir Y^r. mo. hble Serv^t.

P. HENRY

[Endorsed (by Draper):] Talk to the Shawnees relative to the murder of Cornstalk &c.

GOV. HENRY TO COL. WM. PRESTON.

(*Draper Papers, 4QQ168.*)

W^msb^urg^h, May 12th 1778

Sir,

Your Situation being an exposed one I desire you will please to keep a Serjeant & twelve men station'd at your House at Drapers Meadow, in case you judge it expedient. This step is taken to induce you to remain at your Habitation & to encourage others to do so. Wishing you Safety I am

Sir

Y^r mo. hble Serv^t

P. HENRY

[Addressed:] Col^o Wm Preston Montgomery

(*From Journal of the Council.*)

Wednesday May 13th 1778

The Governor laying before the Board Sundry Matters which he had prepared to send to the General Assembly for their Consideration, and the same being read and approved of- a Copy was ordered to be filed.

The Governor having informed the Board that he thought it of the highest importance that a proper Fortification be provided without delay for protecting against a Superior Fleet of our Enemy, any Ships of War as well as Merchantmen belonging to our Allies that may have occasion to come to this State & that he wished to have their Advice on this Matter- The Board after mature deliberation are of Opinion that such an asylum ought to be provided immediately, & do advise his Excellency to direct M^r Loyauté the Inspector General & M^r Fournier the Assistant Engineer to examine the several Advantages attending York Town which is supposed to be preferable to any other Place in the Country, noting at the same time the Disadvantages of that Place if any, and what alterations ought to be made in the Works there in case it should be approved of. And his Excellency gave Directions accordingly.

GOV. HENRY TO THE SPEAKER OF THE HOUSE OF DELEGATES, BENJAMIN HARRISON.

(*From Virginia State Archives.*)

Sundry Matters referred by the Governor with the Advice of the Council to the Consideration of the General Assembly, [May 13, 1778:]

1st. From every appearance at present, it seems evident that the Scheme adopted by the last Assembly for raising Volunteers to reinforce the grand Army will not succeed.

2^d. The March of the Second Regiment of the State Infantry to join the grand Army & the Draughts of men for Mons^r Loyaute Corps

from the Regiment of State Artillery which has not yet been nearly filled, have so reduced our Regular Force that it is totally inadequate to the Defence of our Garrisons. The employing of Militia for that purpose is found to be attended with many difficulties; affords less Security and greatly enhances our Expences.

3^r. Sundry Resolutions & Proceedings of Congress have been received since the last Session, and are sent herewith. The Assembly will please be referred to them.

4th. The Situation of the grand Army with respect to Provisions has been so alarming as to threaten no less than the final dispersion of it. The Letters from Congress & General Washington while they imported this, called for every possible Aid from this State. The most vigorous & proper Measures the Executive Power could devise have been pursued. M^r John Hawkins has been appointed purchasing Commissary & to him & sundry others employed before him occasionally, very large Sums have been advanced. Congress have been informed of the whole matter, approved of what has been done and promise to refund the Money speedily.

5th. Many great Losses have been sustained by the Traders of this State, & those of foreign Countries, on this Coast for want of proper Pilots. In order to stimulate Men of that Profession, by Advice of Council, an additional encouragement of four Shillings per ton, besides their daily Pay, was promised by the Governor to the Pilots for every Foreign or State Vessel safely brought into Port.

6th. For the further Security of Trade four small Batteries are ordered to be erected on the Eastern Shore. These seemed absolutely necessary as the Enemy are closely blocking up the Channels through which our Vessels formerly passed into North Carolina, and our Trade must in future be principally carried on by the way of that Shore.

7th. In order to make Provision of Cloaths & other necessaries for the Virginia Troop in Continental Service, as directed by the last Assembly, Duncan Rose Esq^r has been appointed Agent, & has procured various Articles to the amount of about one hundred thousand pounds which will be forwarded to the Army as soon as possible.

8th. Orders are sent to the Agent for this State, in France, to Ship twenty thousand Stands of Arms agreeable to the Directions of the last Assembly for the use of the Militia.

9th. In the Prosecution of Trade on the Public Account it has been found impossible to convey the produce of this Country to foreign Ports in Quantities sufficient to pay for the Articles we wanted to purchase. In order to remedy this Inconvenience, the Governor by Advice of the Council, did by Letter empower William Lee Esq^r, Agent for this State, in France, to borrow a Sum of Money, not exceeding two Millions of Livres, & to pledge the Faith of this Commonwealth for the payment of the Same, in Tobacco or other produce of this Country.

10th. The Gentlemen who were appointed by Congress to Audit the Accounts of this Commonwealth against the Continent have made some Progress in that Business. But it is as yet unfinished. And it is to be feared from the great difficulty already experienced of procuring Gentlemen who live very remote from this Place to attend & finish

a Work of this Nature, that much Delay will attend the final accomplishment of it.

11th. From the encreasing Commerce & Intercourse with the French Nation and often receiving & sending Despatches of the greatest Importance in that Language, the Executive power has been repeatedly embarrassed, as the Members of it are not accurately acquainted with the French Tongue. Interpreters have been occasionally employed. But ill Consequences were perceived to follow either from the Ignorance or Design of some of them. The Governor therefore in order to remedy these Evils by the Advice of the Council, did appoint M^r Charles Bellini to act in the Capacity of French Secretary, with a Salary of two hundred Pounds per Annum till the Pleasure of the Assembly should be known. From the Accomplishments of M^r Bellini there seems no doubt of his fitness to fill this office in which Secrecy, Fidelity & Knowledge were so essentially necessary.

12th. Since the last Session of Assembly Isaac Avery Esquire Resigned the Naval Office from North Hampton, and Thomas Parsons Esq^r was appointed to that Office till the pleasure of the Assembly should be known.

13th. Also Isaac Smith Esq^r resigned the Naval Office of Accomack & Robins Kendall Matthews esq^r was appointed to the Same till the Assembly signify their pleasure thereupon.

14th. Sundry Ship Carpenters employed in the Public Yards were drafted to serve in the Continental Army under the Act of the last Session of Assembly; and on the earnest solicitations of the Navy Board & the Superintendants of the Ship Yards, the Governor, by Advice of the Council did desire the Officer commanding the Continental Troops here to permit the said Carpenters to continue in their yards. It was said great Detriment would ensue from the Loss of these Carpenters, as others could not be got to supply their places. An Exemption of these Workmen from Militia Duty in future it is supposed would tend to promote the Public Good.

15th. Information hath been received of several Persons within this State having joined the Enemy as Traytors & leaving considerable Estates real & personal behind them. The Laws seem to leave Doubts as to the Manner of Proceeding against such Offenders. A Speedy Method seems necessary to prevent the Practice of those Frauds generally used to secrete them.

16th. Upon considering the appointment given to M^r Loyauté The Executive Power was induced to be of Opinion that he had not a right to exercise Command over the Officers of the Military in this State at large, but was to confine it to the Corps of one hundred Men, who were to be trained by him in the manner, which the Assembly directed. However it appears M^r Loyauté understands his appointment to the Office of Inspector General gives him the Command of the Regiment of Artillery²⁹⁸ if he should see occasion to exercise it. In order to clear

²⁹⁸The Artillery Regiment mentioned in Gov. Henry's letter had been authorized by act of the General Assembly in June, 1777. Field officers were elected in November of the same year. At the end of the year 1779 it mustered some 350 men. It took part in the battle of Camden, where it suffered heavy losses; and on its return to Virginia early in 1781 most of the survivors were discharged.

this Point from future Doubts the Governor & Council request the Assembly will be pleased to declare whether M^r Loyauté in his Post of Inspector General is to assume such Command.

17th. The Death of Jacob Bruce Esq^r makes the Appointment of another Auditor of Public Accounts necessary.

18th. The Several Preceeding Matters with others which necessarily required large Expenditures, have been the Cause of great Emissions of Paper Money. These added to former Emissions and a prodigious influx of Continental Money occasioned by the great Supplies to the Army drawn from this State, have given such a Shock to the Public Credit that the price of Labour and every Necessary has got to a height truly alarming, & proves an inconceivable Clog to the prosecution of Public Affairs.²⁹⁹

To the Speaker of the House of Delegates

[Endorsed:] Recommendation from Gov^r & Council of certain matters.

GOV. HENRY TO HENRY LAURENS, PRESIDENT OF CONGRESS.

(*Cont. Congress Papers- Va. State Papers, 71, vol. 1.*)

W^msburgh May 15th 1778

Sir.

Yesterday your Favor by post came to hand containing two Acts of Congress

1 for recommending an Exemption from Militia Duty such persons as are employed in manufacturing military Stores &c for the Use of the United States

2 for protection of the western Frontiers & other Matters

As also y^r Favor by Express covering sundry News papers, & a paper containing private Intelligence forwarded to me agreeable to your Request to Gov^r Johnson.

The Despatches to Gov^r Caswell shall go by Express without Delay.

With my cordial Congratulations on the late Happy Events I have the Honor to be with high Regard

Sir y^r most humble Servant

P HENRY

[Addressed:]

The hon^{ble}

Henry Laurens Esquire

President of the Congress at

York Town

[Indorsed:]

Letter from (Gov^r Henry)

15 May 1778

read 25

²⁹⁹Read May 13 and referred to committee of the whole House upon the state of the Commonwealth (except the resolution of Congress with regard to granting of pardons to certain offenders.)

GOV. HENRY TO RICHARD HENRY LEE.

(From W. W. Henry's "Henry," III, 166.)

Williamsburg, May 15th 1778.

I beg leave, my dear sir, to give my most cordial congratulations on the late happy events that have taken place. May we be wise enough to improve these favorable occurrences into the Permanent happiness of our country!

Yours of the 7th came to hand last night. I have got one swift boat now ready to sail. Another shall be provided in some short time. Ocracock is blocked up pretty much. The boats will go out of our capes. The assembly is sitting; 500 horse were voted yesterday. Some may be quickly got. However, the affair will be suspended a few days on hearing the enemy are preparing to leave the continent.

God bless you sir,

Yours,

P. HENRY

Richard Henry Lee Esq.

GOV. HENRY TO THE SPEAKER OF THE HOUSE OF DELEGATES, BENJAMIN HARRISON.

(From Virginia State Archives.)

Council Chamber May 15th 1778.

Sir

The inclosed Papers are just come to my Hands from Congress, I request you will be pleased to communicate them to the general Assembly.

With great Regard I have the Honor to be

Sir

Your most obedient Servant

P. HENRY

hoble Benjamin Harrison Esq^r
Speaker of the House of delegates.

N. B. The inclosed anonymous Letter I wish to be returned to me as soon as it is read, as I am desired to forward it to Gov^r Caswell.

(From Journal of the House of Delegates.)

Friday, May 15, 1778.

The Speaker laid before the House a letter from the Governor, referring to papers delivered to him therewith.

[The House proceeded to resolve on the formation of a regiment of three hundred and fifty horse etc.]

Saturday May 16.

Resolved, That it is the opinion of this committee, That the deficiencies in the quota of continental troops, to be raised in this State,

be made up of voluntary enlistments, to serve during the war; that the Governor and Council be authorised to appoint recruiting officers for this purpose, and that the deficiencies which may hereafter happen from time to time be made up in the same manner; that proper encouragement be given to such officers for each soldier enlisted; that a bounty of dollars be given to each soldier, and that he be furnished with a complete suit of clothes at the public expense; that the prices of necessaries for soldiers be fixed, and the articles enumerated.

GOV. HENRY TO GOV. CASWELL OF NORTH CAROLINA.

(From "*State Records of N. C.*," Vol. XIII, pp. 128-129.)

Williamsburg May 16th 1778.

Sir:

For your Excellency's perusal I enclose a paper I received from the Hon. Mr. Laurens agreeable to his desire. I most heartily congratulate you on the great event of the treaty with France.³⁰⁰ It will most probably bring with it our permanent Independence.

Our Assembly willing to guard against every contingency have just voted 350 horse and 2000 Infantry to be raised forthwith. I beg leave to mention to your Excellency what the Commissioners for this State on the So. western frontier have repeatedly informed me. It is that certain persons of your State have intruded on the Cherokees, entries for their lands are said to be made even close to their towns, and some settlements forming far over the line. I know your Excellency's supreme regard for justice and the public good, and that the good people of Carolina will not advisedly do anything that will embroil us with the Indians, and thereby co-operate with the British Emissarys. I give you the information as I receive it, not doubting in the least that every step will be taken by your State which Justice and true policy may dictate in this important business. With the highest regard, I have the honor to be Sir, your Excellency's mo. ob. and very hml Servt.³⁰¹

P. HENRY.

To Gov. Caswell

³⁰⁰Along with a copy of the treaty forwarded to Gov. Henry by the Virginia Delegates in Congress came the warning:—"It is very prudently wished by our commissioners that those of the French nation in our States should be treated with kindness and cordiality."

In sending the MS to the printer Gov. Henry discreetly penned on the document the following:

"P. S. The Postscript not to be published.

P. H.

N. B. A pen was drawn across the postscript that the printer might not publish in his hand Bill, which was deemed improper.

P. Henry.

³⁰¹For Gov. Caswell's reply see "*N. C. State Records*", Vol. X, p. 134.

GOV. HENRY TO COL. WM. PRESTON.

(Draper Papers, 4QQ170.)

W^msburgh May 17th 1778

Sir,

Your last Letter requesting Aid from the Countys of Pittsylvania or Henry has been considered; and the Council advise me that 'tis improper to call for men from that Distance upon the present *Prospect*, only of being attacked in your County. I have to desire that you will call for such Reinforcements from the Neighbouring Militias as your Necessity may render it indispensable to receive, in case you are attacked. Great Good may be derived from keeping good Scouts constantly on Duty towards the Enemys Country. If the present Numbers drawn from your Militia are insufficient, draw out more & carry the Law into strict & rigorous Execution ag^t those who disobey. I am

Sir

Y^r mo. hble Serv^t

P. HENRY

P. S. I write to Botetourt to have Assistance ready if called for you on an attack.

[Addressed:] Col^o W^m Preston Montgomery[Endorsed:] Two Lett^{rs} from the Gov^r May 17th 1778 Patr Henry.

(From Journal of the Council.)

Tuesday May 19th 1778.

The Governor having informed the Board that M^r John King was not willing that his Vessel should wait any longer for the Dispatches which are expected from Congress to go by her to France, but was very desirous that she should make use of the present opportunity of getting out of the Bay the Enemy's Ships being all gone- the Board do advise his Excellency to write by her to William Lee Esquire our Agent, to procure the proper Cannon, Mortars, Howitzers with all the Implements and Apparatus necessary for the fortifying of York Town for the Protection of the Ships of War & Merchantmen belonging to our Allies that may have occasion to come to this State. And his Excellency having prepared a Letter accordingly the same was read approved of & ordered to be recorded.

Wednesday May 20th 1778.

M^r Loyauté Inspector General having thought proper to resign his Commission being dissatisfied with the Vote of the House of Delegates declaring that he was not intitled under his appointment to any Military Command- the Same was received & having delivered with the Board a State of his Account of Money expended by him in the Execution of his Office it was passed on his Certificate of its being just & true. And the Money in the said M^r Loyautés hands together with the pay he had received amounting to three hundred & ninety five pounds fourteen Shillings being returned it was also received; and it is

ordered that the Clerk do carry it to the Treasurer & take his Receipt for the same. M^r Loyaute refusing to accept of any Pay or allowance for his Expences during the time of his holding the said Command.

(From Journal of the House of Delegates.)

Thursday May 21

The Speaker laid before the House, a letter from the Governor, stating several matters for the consideration of the House, and referring to sundry papers enclosed therein.

GOV. HENRY TO THE SPEAKER OF THE HOUSE OF DELEGATES, BENJAMIN HARRISON.

(From Virginia State Archives.)

W^msburg May 21st 1778.

Sir,

From the great Sums of Money expended on the Public Salt works the Executive power was induced to hope that considerable Quantities of Salt would have been produced before this time. But I am sorry to say that very little has been made, & that there is no prospect of receiving from most of the Works any Quantity nearly adequate to the Expense of them. From the great Importance & variety of the Objects which call for the Attention of Government it becomes impossible to superintend this Business so closely as the many difficulties it meets with requires; and I cannot help observing that without some person of skill & Integrity is employed whose sole Business shall be to conduct these Works, that the views of the general assembly will be frustrated & much Public Money thrown away.

The Manager of the Salt Works in Northumberland has resigned his appointment & altho another has been sought for none has been found to undertake it.

Some Occurrences of late made War with the Indians most inevitable. Such Measures as seemed most likely to protect the frontiers and restore Tranquility have been adopted by Government. I beg leave to refer to the Papers sent herewith as well to shew the present good Disposition of the Cherokees, as the Situation of Affairs respecting the Northern & Western Tribes.

Altho the Militia of this Commonwealth are in general well affected & no Doubt can be entertained of the general good Disposition of the People, yet I am sorry to say that several Instances of refractory & disobedient Conduct have happened which for the sake of example called loudly for Punishment. The Fines imposed by Law for Delinquency of almost every kind, are generally esteemed of so little Consequence, that offences against the Militia Law are become common. It is therefore apprehended that the military Operations upon which the safety of the state may depend will not be carried into Effect unless a Degree of Discipline more strict than the present Laws enforce be adopted & the Fines for Disobedience increased. Standing Guards drawn from

the Militia are necessary, oftentimes for the security of Magazines & other Purposes. Doubts seem to arise under the present Law, whether they can be instituted.

I beg Sir that you will be pleased to communicate these observations to the general Assembly who will pass such a Judgment on them as they may deserve. With great Regard, I am Sir,

Y^r mo. obed^t & very hble Servant,
P. HENRY.

The Hon^{ble} Benjamin Harrison, Esq^r,

Speaker of the Ho. Del.

P. S. I omitted to inform you above that M^r Loyeaute has resigned his Appointment of Inspector General.

[Endorsed:] May 22, 1778 Gov^r's letter as to Indians &c.

GOV. HENRY TO THOMAS SMITH, STATE AGENT.

(From Virginia State Archives.)

Sir.

It is of great Consequence to our Affairs to push some Pork up the Bay for the grand Army, now that the Enemy are absent. The Expences & other Difficultys avoided by such a Step are many & great. I desire therefore you will direct the Sloop Congress³⁰² to take her Load of Pork from Petersburg & go therewith to Susquehanna or the Head of Elk & deliver to the Person who receives Provisions for the Army.

In the Short Absence which the Congress will remain in this important Business I desire you will hire all the Craft you can to get down Savage's & Westmore's Tobacco to Suffolk to comply with the Contract M^r Ross made with them. I am

Sir Y^r mo Ob^t

P. HENRY.

May 22^d 78.

[Addressed:]

Mr. Thomas Smith

GOV. HENRY TO THE VIRGINIA DELEGATES IN CONGRESS.

(From W. W. Henry's "*Henry*," III, 172.)

Wmsburgh May 23^d, 1778.

Gentlemen: In sending you the enclosed Resolution of the General Assembly, I comply with their desire respecting a subject of great consequence. The Reason why these Accounts have not been settled is, the Gentlemen hitherto appointed have not attended, except once. They called for some Vouchers they thought necessary to support some charges in the account, which were not ready, & left a list of them desiring they might be ready at their next coming, which was mentioned to be

³⁰²Commanded by Capt. Robert Pully.

shortly afterwards. This is more than Eight months ago, & I have heard nothing of their coming since. I have frequently sent to the Gentlemen who have been appointed to this Business by Congress. Some of them have declined acting. Others have been prevented by sickness from attending; and in short so many Difficulties arising from Distance of situation, & other Causes, have interfered, that no good ground for Hope remains to have the Work ended, unless Congress adopt some new method. I need not explain the necessity of having an end to this tedious affair. Our state is distressed for the money. We have emitted such enormous sums that our Credit is almost lost. With great regard I have the Honor to be gentlemen.³⁰³

Your most obedient Servant,
P. HENRY.

To the Hon. Delegates from Virginia in Congress.

P. S. I can't help expressing the obligation we have to Wyllie Jones Esq^r for his Readiness to act on all occasions that offer'd for settling our Accounts.

P. H.

GOV. HENRY TO BENJAMIN HARRISON, SPEAKER OF THE
HOUSE OF DELEGATES.

(From Virginia State Archives.)

The Honble
Benjamin Harrison Esq^r
Speaker of the House of

Delegates
May 23. 1778

Sir.

The inclosed Letter from General Count Pulaski,³⁰⁴ informs me he intends to enlist Soldiers into his Legion in this State. The proposed Plan of Inlistment appears by the inclosed Resolution of Congress. The Directions which the general Assembly may please to give on the Subject will be followed by

Sir
Y^r Most obedient Servant
P. HENRY.

honble Benja.
Harrison Esq^r

³⁰³Read in Congress on June 15; and the consideration thereof postponed.

³⁰⁴Casimir Pulaski (Poland), brigadier-general Continental Army and chief of dragoons, 15th September, 1777; designated as commander of an independent corps, known as the Pulaski Legion, 28th March, 1778; died 11th October, 1779, of wounds received October 9th, 1779, at the Siege of Savannah.

GOV. HENRY TO THE SPEAKER OF THE HOUSE OF DELEGATES, BENJAMIN HARRISON.

(*From Va. State Archives, Ex. Com.*)

May 23^d 1778

Sir,

I beg leave to communicate to the general Assembly through you, the inclosed Letter from the Delegates of this State in Congress. The Address to the people of America, & the Proclamation herewith sent, are just rec^d from Congress.

With great Regard I am

Sir

Y^r most humble Servant

Hon'ble Benja Harrison Esq^r

P. HENRY

Speaker of the House of Delegates

(*From Journal of the House of Delegates.*)

Saturday, May 23.

The Speaker laid before the House two letters from the Governor, one containing a letter from the delegates in Congress, a proclamation, and an address of the Congress to the inhabitants of the United States, the other containing a letter from Count Pulaski, and a resolution of Congress concerning the raising of a corps of infantry and cavalry to be commanded by him.

Ordered, That the said proclamation be forthwith published in the Virginia Gazettes, and that the letters, together with the papers therein contained, do lie on the table.

GOV. HENRY TO THE SPEAKER OF THE HOUSE OF DELEGATES, BENJAMIN HARRISON.

(*From Va. State Archives, Ex. Com.*)

May 23, 1778

Sir

The unsettled State of the Boundary Line between this Commonwealth & Pennsylvania is likely to prove the Source of much mischief. Consequences of the most alarming nature seem likely to follow if the Legislature do not interpose, the Executive not being competent to the Business.

The papers I send herewith relate to this Subject which is become so interesting, and I beg you will please to lay them before the General Assembly.

I have the Honor to be

Sir

Y^r most Hble Serv^t

P. HENRY

The Honble Speaker of the House of Delegates.

GOV. HENRY TO THOMAS SMITH, STATE AGENT.

(*From Thomas Smith Papers (1778), Virginia State Archives.*)

Sir

I request you to be pleased to look out for a Conveyance to France.³⁰⁵ I wish some Letters to go by a swift sailing Boat or two.

I am

Sir

Y^r hble Servt

P. HENRY.

May 25th 1778.

M^r Tho Smith

(*From Journal of the Council.*)

Monday May 25th 1778

The Board being informed that the Barracks at York Town were lately burnt by some unknown accident & it being absolutely necessary that the same should be rebuilt as speedily as possible they do advise the Governor to empower & direct M^r James Taylor to purchase Timber & Materials upon the best Terms they can be had, for rebuilding the said Barracks so soon as proper Persons shall be employed for that Purpose.

³⁰⁵The following letter is from the letter book of Thomas Smith, Virginia State Archives.

Captain James Gray
Sir:

Virginia Williamsburg 12th June 1778.

With the Brigantine Liberty under your Command you must embrace the first favourable Opportunity of going out to Sea, and proceed on your Voyage to Nantes which port must make if possible on your arrival there you'll wait on William Lee Esqr Agent for the State of Virginia at that place to whom deliver all your dispatches, and loose no Time in discharging your Cargo, after this is done Mr Lee will furnish you with a full Load of Goods to return with, and as you are now Completely fitted with all things necessary, I hope your Disbursements in France will be low. I am sensible from your Former Conduct that due attention will be paid to the Interest of this State but as your Voyage is of very great Importance I cannot too warmly recommend your doubling your diligence and care, consider you have been acting amongst Friends where every assistance has been given, the next consideration is of greater Concern, to wit your Launching into an Element filled with Enemies whose unrelenting Hands you have felt the Weight of, therefore avoid them, keeping always upon the defensive, your Situation as to Men & Arms will not admit of an attack, but if attacked remember how much is at Stake, both as to the State, and your own affairs a safe Voyage will be a great step towards laying a foundation for your future welfare in this Life. on your Voyage to Virginia I would have you by all means endeavour to effect coming into some of the following places viz. Chingoteague, Matompink, Matchapungo, Matchapague or Sand Shoal all of which are Inlets to the Eastern Shore of Virginia but above all a preference should be given to Cape Charles for reasons I have personally observed to you. the Idea of Ocracock & Carratuck frights me. they are places every person acquainted with them should avoid, but if particular Circumstances should make it necessary (of which you will be best able to judge) you must consult your own Safety and the Salvation of yr Vessel & Cargo. that you may have a safe Voyage & speedy return is the wish of

Your most Obt St.

Thomas Smith.

Report being made by the assistant Engineer respecting the Situation of York & the additional Fortifications necessary for that Place as a protection to our Allies; and the Board taking the same under their consideration do advise the Governor to direct Colonel Marshall to consult with Captain Fournier the assistant Engineer & take the proper Steps for extending the Works at that Place & for fortifying the Gloster Shore so as to cooperate the best Terms possible. And the Governor is also advised to desire the Navy Plan to be furnished by Captain Fournier.

Tuesday May 26th 1778

A Letter was written to the Virginia Delegates in Congress informing them of the Death of M^r Hawkins, and desiring that Congress should direct what is to be done in the Business that M^r Hawkins managed- a Copy filed & ordered to be recorded.

[Read in Congress on June 15.]

Willis Riddick Esquire, of Nansemond, is appointed Commissioner for the Estates of the following Persons who are British Subjects, viz. Cummin Warwick & Company, Michael & John Wallace, Archibald & John Hamilton & Company, John Smith, & John Agnew.

Wednesday May 27th 1778

The Governor having desired the Advise of the Board upon a Letter he had received from Colonel John Wilson respecting the Insurrection in Princess Anne, & the little Prospect of quelling it by the Militia lately ordered out for that purpose & recommending to his Excellency the Removal of such Families as are in League with the Insurgents as a Step in his Opinion absolutely necessary- they do advise his Excellency to send the said Letter to the General Assembly, and in the mean time to order a Company of Regular Troops, to be drawn from the several Stations, to co'operate with the Militia in Crushing these Desperadoes.

GOV. HENRY TO THE SPEAKER OF THE HOUSE OF DELEGATES, BENJAMIN HARRISON.

(From Virginia State Archives.)

W^msburg May 27th, 1778.

Sir I was always unwilling to trouble the General Assembly with anything that seemed of too little Consequence for their deliberation. In that view I have for some time considered the Insurrection in Princess Anne & Norfolk. I have from Time to Time given orders to the commanding officers of those Counties to draw from their Militia a Force sufficient to quell it. These officers have often complained of the Difficulty of the Business, arising partly from the local Circumstances attending it, but chiefly from the Backwardness & even Disaffection of the people. In order to remove the latter obstacle, I gave orders for one hundred men to be drawn out into this service from Nansemond

County; But I am sorry to say the almost total want of discipline in that, & too many other Militias in the State seems to forbid the Hope of their doing much to Effect.

Col. Wilson whose Letter I enclose, has several Times given me to understand, that in his opinion the Removal of such Families as are in League with the Insurgents was a Step absolutely necessary, & has desired me to give orders accordingly. But thinking that the Executive power is not competent to such a purpose, I must beg leave to submit the whole matter to the general Assembly, who are the only Judges how far the methods of proceeding directed by Law, are to be dispensed with on this occasion.

A Company of Regulars drawn from the several Stations, will be ordered to cooperate with the Militia, tho indeed their scanty numbers will not permit it to be done without Hazard. But I cannot help thinking this ought to be encountered, for an apparent disposition to disturb the peace of this State has been manifested by these people during the whole course of the present war. It seems therefore that no Effort to crush these Desperadoes should be spared.

My Duty would no longer suffer me to withhold these several Matters from the View of the General Assembly to whom I beg leave to refer them thro you.

With great Regard, I have the honor to be,

Sir Your mo. obed^t hbble Serv^t,

P. HENRY.

To the Hon. Speaker of the House of Delegates.

[Endorsed:] Governor's letter as to Phillips &c. May 27, 1778

GOV. HENRY TO RICHARD HENRY LEE.

(From W. W. Henry's "*Henry*," III, 174.)

W^msburg, May 28, 1778.

My Dear Sir: Your favor of the 18th is this moment handed me. The despatches you speak of dated the 16th, were safely delivered, and the messenger proceeded to New Bern. For your sake, and because you desired it, I gave great attention to Loyauté, but to no purpose. When he claimed command of the regiment of Artillery, I was obliged to interfere till the Assembly met. The officers refused to obey him, except some of the lower. On referring the affair to the Assembly, they resolved he had not a right to command, and he resigned. He has really given me pain. I revere his nation, and have great regard for all its people. I could not gratify Loyauté. I could not, though I tried hard for it, make him happy; while I doubt not of his great zeal for America, I must of his abilities. I am not singular. Give me leave now to mention another Frenchman, Cap^t Cotteneau. He seems to possess discernment and enterprize. I like much his scheme of attacking our foes in Africa. Tis very plausible and bids fair for success. Remember

how Goree³⁰⁶ was taken, I think a 20 gun ship of this state might aid the attempt. Will it not distract their attention profitably?

I long for something of the eclat that would attend success in such an enterprize. However, listen to the Cap^t yourself and judge. While I am writing this a 50 gun ship is arrived in James, 49 days from Rochford (I know not if she is royal property) and a brig with a large quantity of goods³⁰⁷. No news as yet come from them. The English are at length departed with all their ships. They went 10 days ago. I had a fine sailing boat to carry the dispatches you told me of; but she would not miss the fine opportunity offered for her departure. Another or two will be ready in a week. When shall I receive the letters? Tell me what is to be done with Cap^t Young if they dont come. The intelligence of 100 drafts from the Eastern shore going to the English is false.

Our Assembly are voting 350 horse and 2000 infantry for the grand army. I doubt their being got. No attempt, (I regret it) to restore public credit.

Pray try to get us six or eight heavy canon for a Fort to protect the ships of our allies. Such a one is much wanted here.

Adieu my dear friend.

Yours ever,

P. HENRY.

R. H. Lee, Esqr.

(From Journal of the House of Delegates.)

Friday May 29, 1778.

Resolved, unanimously, That his excellency Patrick Henry, Esq. be appointed Governor or Chief Magistrate of the Commonwealth for one year to commence from the expiration of the time for which he was last appointed.

Joseph Prentis³⁰⁸ was appointed a member of the Privy Council in the place of John Blair, resigned.

Saturday May 30.

The Senate have agreed to the resolution of this House approving of the measures taken by the Governor and Council for procuring a loan in France of 2,000,000 livres

Resolved, That the Governor, with the advice of the Council, be empowered from time to time to appoint such engineers as they may judge necessary, giving them such rank and pay as they may think their

³⁰⁶Goree is a small island near Cape Verde on the African Coast, which, though a place of great strength, was taken by the English from the French. (W. W. Henry's note.)

³⁰⁷On June 9th Thomas Smith wrote to his assistant at Alexandria, Benjamin Day:—"The Tobacco is to be delivered alongside of the Frenchman lying at York Town on York River * *".

³⁰⁸Joseph Prentis (1754-1809), educated at the College of William and Mary; member of the Convention of December, 1775; judge of the Court of Admiralty, 1776; member of the House of Delegates, 1777; 1778-88; member of the Privy Council 1779; speaker of the House of Delegates, 1788; judge of the General Court, 1789-1809.

abilities and merit deserve; provided, that the number of engineers exceed not four, nor their rank and pay that of a colonel.

Resolved, That the Governor, with the advice of the Council, be empowered to appoint a manager of the said works to direct the whole, who shall have authority to put down all such, as in his judgment shall not be likely to produce any benefit to the Commonwealth; and to alter and improve such of the others he shall think proper; that he procure so many salt pans as he shall judge necessary; that he be directed to make trial of one of the salt works best calculated for it, to see if salt cannot be made by the operation of the sun alone; and that he be supplied out of the public treasury with what monies shall be thought necessary by the Governor and Council, for carrying on the said works, to be drawn by warrant from the Governor on the treasury, the said warrant being first entered in the auditors books, the said manager to

Mr. Jefferson, from the committee appointed to wait on his Excellency Patrick Henry, Esq. and notify his appointment to the office of Governor or Chief Magistrate of the Commonwealth, reported, that the committee had accordingly notified the same, and received the following answer, viz:

Gentlemen,— The General Assembly, in again electing me Governor of this Commonwealth, have done me very signal honor. I trust that their confidence, thus continued in me, will not be misplaced.

I beg you will be pleased, gentlemen, to present me to the General Assembly in terms of grateful acknowledgement for this fresh instance of their favor towards me; and to assure them, that my best endeavors shall be used to promote the public good, in that station to which they have once more been pleased to call me.

(From Journal of the Council.)

Wednesday June 3 1778

It appearing from sundry Papers transmitted to the Board from the County of Monogalia that Zackquill Morgan Lieutenant of the said County has rendered himself unworthy of the office he sustains by refusing to submit to the Laws of the State— they do advise the Governor to suspend the said Zac: Morgan from his Military Command & to direct that a Court Martial be held to inquire into his Conduct And his Excellency orders accordingly.

Thursday June 4th 1778.

The Governor being indisposed John Page Esq^r presided as Lieutenant Governor.

Richard Morris esquire is appointed Agent to purchase provisions for the Continental Army, in the room of John Hawkins deceased:

M^r Morris is to have the same allowance & to follow the same Instructions as M^r Hawkins had until further orders; and he is moreover empowered to purchase ten or fifteen Negroes to exchange for Beeves it being judged they can be procured cheaper by that means than

by giving Cash. M^r Morris entered into Bond with Securities for the faithful discharge of his Duty- which is filed.

The Board taking under consideration several Acts of Assembly for raising a Battalion of Infantry to do Garrison Duty, for raising two thousand Voluntiers to join the Grand Army; and for recruiting the Continental Army- they do agree to proceed on the 23^d Instant to appoint the Officers directed to be appointed by them for the Battalion of Infantry & for the Voluntiers & Officers for recruiting the Continental army & it is ordered that the Clerk do give Notice in the Public Gazettes accordingly.

Friday 5th 1778

John Page Esquire Lieutenant Governor.

Ordered that Colonel Marshall with the Advice & Assistance of the other field Officers of the State Regiment of Artillery, do report their Opinion specially how the Rank of the other Officers in the said Regiment ought to be settled as soon as may be.

Pursuant to an Act of Assembly for raising a Regiment of Horse the Board do appoint & request Brigadier General Nelson to superintend the Business of raising Men providing Arms & Accoutrements requisite for the said Regiment, & to employ such Assistance as he may judge necessary for that purpose. They do also appoint Archibald Cary esquire, of Chesterfield, Everard Meade esquire, of Amelia, Colonel John Smith of Frederick, Isaac Davis Esquire of Albemarle, Richard Kello esquire of Southampton & Francis Willis j^r of Gloucester to purchase the necessary Horses for the said Regiment at a price not exceeding one hundred & fifty pounds for each; And a Letter of Advice & Instructions were sent to each of the above named Gentlemen.

Monday June 8th 1778

The Commissary of Stores for this State is impowered & directed to purchase of Peter Francis Chevallie such of the Goods & Merchandizes as remain unsold or are not particularly excepted of the Cargo on board the Fer Rodorique³⁰⁹ belonging to the said M^r Chevallie

³⁰⁹In the "Journal of the Continental Congress", Vol. XI, p. 576, there is mention of "a letter of May 28, from Mr. Chevallie, super-cargo of the ship *Brave Fier Roderique*, arrived in Hampton road, Virginia, and one, of 23 March, from Messrs. Beaumarchais & Co. by the said ship."

And on Wednesday, June 10, it was

Resolved, That Governor Henry be requested to purchase, for the United States, the articles contained in the list hereto annexed, being part of the cargo of the French ship *le Fier Roderique*, as cheap as he can, not exceeding the price following, to wit. £450 Virginia money for every hundred pounds sterling, to be paid in tobacco, at ten dollars per hundred, and that a letter be written to his excellency, explaining the principles of such limitation:

[In the Journal the list follows].

In October, 1793, John A. Chevallie, Agent for Caron de Beaumarchais, presented a petition to the General Assembly of Virginia, from which are taken the following extracts: * * * * *

"The claim your petitioner has against the state of Virginia originated in a contract that was entered into between the state and Peter Francis

allowing for the same Six Shillings Virginia Money for every Livre of the first Cost in France & engaging in part of payment therefor to deliver alongside of the said Ship at York fifteen hundred Hogsheads of Tobacco & five hundred Hogsheads alongside any other Ship M^r Chevallie may send to Alexandria the remainder of the Debt to be deposited by M^r Chevallie in the Hands of the Treasurer bearing Interest at the Rate of Six Per Centum per Annum as long as it shall there remain or be laid out for him in Tobacco for which he is to pay the Cost & all expences incurred by ye Agent in providing.

Wednesday June 10th 1778

John Page Esq Lieu. Gov.

The Board, considering the Abilities & Services of J. F. Fournier who has for some time past acted as assistant Engineer to Colonel Warwick, do advise that he be appointed Second Engineer for this State with the Rank & Pay of Major. And a Commission issued for that Purpose accordingly.

Chevallie, on the eight day of June, in the year One Thousand Seven Hundred and Seventy-Eight, who was at that time the super cargo of the ship Fier Roderique for the sale of the cargo of the said ship, which consisted of articles, which the state of Virginia at that time was in the greatest need of, and which were absolutely necessary for her *preservation as a state*, it consisted of *warlike stores, clothing for your soldiery, and other goods*.

Your Petitioner begs leave to remind your Honourable Body, that at the commencement of the year One Thousand Seven Hundred and Seventy-Seven, your Petitioner, and Mr. Peter Francis Chevallie, were unknown to each other, some time in the same year the said Peter Francis Chevallie (who had purchased at Rochfort on his own account the King's ship Hippotame since known by the name of Fier Roderique) sold the same to your Petitioner on the express terms of him Mr. Chevallie being the agent or consignee of the cargo, with which the said ship was to be loaded: that these conditions being agreed upon in Paris, on the twenty-fourth of June, Mr. Chevallie immediately repaired To Rochfort, where he was busily engaged the greater part of the remainder of the year in making the necessary preparations for the intended voyage; those repairs being at length completed, the Fier Roderique anchored at the harbour of the island of Air on the twenty fifth day of December in the same year, for the purpose of taking in her cargo and *was there exposed not only to the British privateers who at that time almost filled the ocean, but also to the private and underhand machinations of the Lord Stormont, then British Ambassador at the court of Versailles, who used every means in the power, and in that of his friends, to prevent even a single cannon from being put on board; and although the power of the British Minister was great, and the industry of his spies unparalleled, yet the operations of your Petitioner were effectuated and that in so short a time that in fact little or no delay was experienced, the cannon and other implements of artillery were shipped and the vessel sailed with one of the most valuable cargoes and arrived at York in Virginia, which was one of the most fortunate events that could have happened to the state, your soldiers being without cloathing for the approaching inclement-season, and your magazines destitute of the necessary supplies of ammunition. And the Executive of the state being so well convinced of the service that cargo rendered the state, that they made constant and repeated assurances to the agent of your Petitioner, that it never would be forgotten, and those assurances were so often repeated, that he was induced to believe, that those services would be recollected with gratitude.*

Thursday June 11th 1778

John Page Lieu. Gov.

In Pursuance of a Resolution of the General Assembly empowering the Governor with the Advice of the Council to appoint a Manager of the Public Salt Works to direct the whole Francis Willis jun Esquire is appointed to that office with a Salary at the Rate of five hundred pounds Per annum.

[On June 10, 1778, Congress resolved to add to a letter to various governors warning against the machinations of the enemy the following clause in the letters to Maryland, Virginia and North Carolina:]

The urgent necessity for the provisions with which your State is to furnish the army, induces Congress to press upon you, sir, immediate and constant attention to this important business, and the present absence of the enemy's ships from the bay of Chesapeake may be improved by seizing the opportunity of water conveyance to the Head of Elk.—"Journals of the Continental Congress," Vol. XI, pp. 583, 584.

GOV. HENRY TO RICHARD HENRY LEE.

(From M. L. S. in the Possession of the Massachusetts Historical Society).

W^ms^burgh June 12th 1778

Dear Sir

The Bearer M^r Felix Lexier a french Gentleman will hand you this. He is lately arrived from France in the large armed Ship whose Cargo is purchased by Government, & he is anxious to get into Business as a Surgeon, for which he seems amply sufficient by the Testimonials he has with him, to which I beg leave to refer.

My only Motive for recommending him to your Notice is, that the

Your Petitioner also begs you to recollect, that at the time of the contract's being entered into, the agent of your Petitioner had the greatest-confidence in the state, so much that he agreed that the Executive thereof should be the Judge of the *value of it*, (which they accepted) and *agreed* that there should be six shillings Virginia currency allowed your Petitioner for each livre in the invoice. The agent of your Petitioner also knowing that the currency of Virginia was then *depreciated*, and wishing to avoid all possibility of a controversy that might arise in *future*, asked and obtained from your *Executive*, an explanation of the kind of *coin* with which he was to be paid, and *they* told him that was the kind, he having previously laid on the *table of your Council* a SILVER DOLLAR for the purpose of explanation.

The claims of Beaumarchais had been presented before, on which subject Patrick Henry wrote to the Solicitor on January 6, 1785: & Am much surprized to find so great a Sum due to Mr. Beaumarchais, & it is so serious an Affair I wish to get to the Bottom of it before a finishing Hand is put to it. I therefore wish to see you at the Council Saturday next with such Papers as may throw Light on the Subject."

The Auditor's report and numerous other papers relating to this claim are preserved in Aud. 2 (Foreign Claims), Virginia State Archives.

Service may receive the Assistance of a man so well qualify'd as he is:
For of such I'm told our Army is in Want.

With Sentiments of great Regard & Esteem I am

Dear Sir

Your most obedient Servant

P. HENRY

[Endorsed:]

Richard Henry Lee Esq
of the Congress at
York Town

fav^d by
Monsieur
Lexier

JOHN PAGE, LIEUTENANT GOVERNOR, TO THOMAS SMITH,
STATE AGENT.

(*Thomas Smith Papers (1778). Virginia State Archives.*)

Williamsbg June 12th 1778.

Sir

On reconsidering the proposal of sending the Northampton up to the Head of the Bay it is thought best that she should be dispatched without delay for Tob^o that no time may be lost in complying with our contract with Mons^r Chevalie.³¹⁰

I am Sir Your Humble Serv^t

JOHN PAGE L^t Gov.

M^r Tho^s Smith

GOV. HENRY TO THE PRESIDENT OF CONGRESS, HENRY
LAURENS.

(*From W. W. Henry's "Henry," III, 177.*)

W^msburgh June 18th, 1778.

Sir: General Washington sent me on Account of the Drafted Soldiers that have joined the army from this State; & it appears that not one half the number voted by the Assembly have got to Camp. Truth obliges me to add, that very few more of the Drafts will ever be got into the Service. I lament this Capital Deficiency in our Quota of Troops; but no efforts of the Executive have been sufficient to prevent it. The Assembly at their late Sitting, have directed three hundred and fifty Cavalry, & two thousand Infantry to be forthwith raised, & to join the grand Army. Some of the former will be raised, but from every appearance, I am sorry to say, there is but too little reason to expect any

³¹⁰In the letter-book of Thomas Smith is a letter, dated June 29, to Capt. Pharoah Fitzpatrick of the "Peace and Plenty" directing him to apply to Wm. Aylett for a load of pork, and after delivering this at the Head of Elk to proceed with all possible dispatch to Alexandria and there receive from Mr. Moses Tandy a load of tobacco for the French 50 gun ship lying at York.

success in getting the Infantry. I can only assure you Sir, that I shall pay due regard to the Requisition you are pleased to make for compleating our Quota of Men, by exerting myself to the utmost, altho I fear it will be in vain.

The honble Dudley Digges Esq. lately wrote you a Letter, on the subject of furnishing Congress with a large Quantity of Goods lately purchased by this State. I wish to be favor'd with an Answer to that proposition as quickly as possible, because the goods cannot be disposed of 'til it arrives, and their laying long on Hand will produce some Capital Inconveniences. Tobacco in payment will be greatly prefer'd to Cash, of which we have a Superabundance, producing Evils of the most alarming nature.

With the highest Regard I have the honor to be,

Sir,

Your most obedient & humble Servant,

P. HENRY.

To the Hon. President of Congress.

(From Journal of the Council.)

Thursday June 18th 1778.

Present His Excellency etc.

The Governor having laid before the Board a Letter from the President of Congress inclosing a Resolution of Congress laying an Embargo on Provisions & recommending to the respective States to take the most effectual means for carrying the same into immediate execution- they do advise his Excellency to accompany the Publication of the said Resolution in the Public Gazettes with a Requisition to the Naval Officers to pay due attention and to enforce the Law as it respects Embargoes- the Board also advise the Governor upon this occasion, to write to the Commissioners of the Navy desiring them to give direction to the Commanders of the Armed Vessels belonging to this State to exert their Vigilance in preventing & detecting the violation of this Salutary Measure.

Agreeable to a Resolution of Congress, Andrew Lewis & John Walker Esquires, are, by the Governor with the advice of the Council, appointed Commissioners for the purpose of holding a Treaty with the Delaware Shawanese & other Indians who may assemble at Fort Pitt on the twenty third day of July next.

Monday June 22^d 1778

James Innes esquire is appointed a Commissioner of the Navy in the room of James Maxwell who hath resigned his appointment, until the pleasure of the General Assembly shall be known.

It appearing that the retailing of sundry Articles now in the Public Store which are not wanted for the Army & Navy hath become very inconvenient for the Commissary of Stores to attend to, & must necessarily occasion the said Commissary to neglect Business of greater Consequence to the State the Board do advise the Governor to direct the Com-

missary of Stores to forbear selling or retailing any more such Goods at large but that he deliver the Articles unfit for the Army & Navy to M^r Robert Prentis to be by him disposed of on account of the State, so soon as he may be ready to receive them. Which the Governor directs accordingly.

The Governor having communicated to the Board a Complaint from the Naval Officer at South Quay & the Merchants concerned in the Trade there, respecting the Conduct of the Naval Officers of North Carolina taking upon them to grant Permits to Vessels coming to this State to trade here, and also giving clearances to them when outward bound after clearing out in this State and receiving Fees for so doing—they do advise his Excellency to acquaint Governor Caswell of this Practice & to inform him that it is the Opinion of this Board that it is sufficient for Vessels coming from Sea to South Quay & returning again from thence to enter & clear out there without doing either at any Naval Office in the State of North Carolina unless they break Bulk or take on board any articles within its Limits. And his Excellency wrote a Letter accordingly.

GOV. HENRY TO THOMAS SMITH, STATE AGENT.

(From Virginia State Archives.)

Sir

M^r Frances tells me you enform him that more craft may be had to load the Roderique if you had orders. I tho^t all the Craft were ordered. You will please to give him all the Despatch possible

Sir

Y^r mo. hble Serv^t

P. HENRY

29th June 1778.

[Endorsed:] Governors Order, for the
Dispatch of Rodurque.

M^r Smith

GOV. HENRY TO RICHARD HENRY LEE.

(From W. W. Henry's "Henry," I, 564.)

Williamsburg June 18th, 1778.

My Dear Sir: Both your last letters came to hand to-day. I felt for you, on seeing the order in which the balloting placed the delegates in Congress. It is an effect of that rancorous malice, that has so long followed you, through that arduous path of duty which you have invariably travelled, since America resolved to resist her oppressors. Is it any pleasure to you, to remark, that at the same era in which these men figure against you, public spirit seems to have taken its flight from Virginia? It is too much the case; for the quota of our troops is not half made up, and no chance seems to remain for completing it. The Assembly voted three hundred and fifty horse, and two thousand men, to be forthwith raised, and to join the grand army. Great boun-

ties are offered, but I fear, the only effect will be, to expose our State to contempt, for I believe no soldiers will enlist, especially in the infantry. Can you credit it; no effort was made for supporting, or restoring public credit! I pressed it warmly on some, but in vain. This is the reason we get no soldiers. We shall issue fifty or sixty thousand dollars in cash, to equip the cavalry, and their time is to expire at Christmas. I believe they will not be in the field before that time. Let not Congress rely on Virginia for soldiers. I tell you my opinion, they will not be got here until a different spirit prevails. I look at the past condition of America, as at a dreadful precipice, from which we have escaped, by means of the generous French, to whom I shall be everlastingly bound by the most heartfelt gratitude. But I must mistake matters, if some of those men who traduce you, do not prefer the offers of Britain. You will have a different game to play now with the commissioners. How comes Governor Johnstone there? I do not see how it comports with his past life. Surely Congress will never recede from our French friends. Salvation to America depends upon our holding fast our attachment to them. I shall date our ruin from the moment that it is exchanged for anything Great Britain can say or do. She can never be cordial with us. Baffled, defeated, disgraced by her colonies, she will ever meditate revenge. We can find no safety but in her ruin, or at least in her extreme humiliation, which has not happened, and cannot happen until she is deluged with blood, or thoroughly purged by a revolution, which shall wipe from existence the present king with his connexions, and the present system, with those who aid and abet it. For God's sake, my dear sir, quit not the councils of your country, until you see us forever disjoined from Great Britain. *The old leaven still works. The flesh pots of Egypt are still savoury to degenerate palates.* Again, we are undone if the French alliance is not religiously observed. Excuse my freedom. I know your love to our country, and this is my motive. May heaven give you health and prosperity.

I am, yours affectionately,

PATRICK HENRY.

To Richard Henry Lee

GOV. HENRY TO COL. WM. PRESTON.

(*Draper Papers, 4QQ178.*)

W^msb^urg June 27th 1778

Sir.

I am favor'd with yours by M^r Madison & send by him £1,500 for furnishing provisions I also direct Col^o Southall of Henrico to hire a Waggon & send in it 1,500^{lb} powder of the best rifle kind & 5,000 Gun Flints. This powder & the Flints to be lodged at Col^o Flemings & to be for the gneral Use of the S^western Frontier.

I greatly approve the Spirit of the young men who are to go to the Enemys Country, & it may be expected by them that any Service they render their Country, they will be paid for. It is bold of the men & commendable; But I must mention that if they go in bodys after they

cross Ohio they will be destroyed, as they will be so easily tracked. It seems to be safe for them to keep in bodys while they are on this Side of Ohio, because if discovered the Enemy cannot be reinforced as they can near their own Country. If when our men cross that River they disperse themselves in small Bodys, & proceed towards the Enemy they may be likely to go safely, & intimidate them from coming against our Settlements, or if they do some one or other of the small partys will discover them & give our Settlers timely Notice of the Danger. At the same Time that you are doing all that is possible for defending the Country, it is necessary to keep in View the Treaty which Congress have directed to be held at Pittsburgh the 23^d of July with the Shawanese & Delawares. Perhaps this Measure may be defeated if very vigorous offensive operations are carry'd on ag^t these Indians at this Time.

You will please to understand the several Matters contained in this Letter, as Hints proper for your Consideration. On the Spot, you can better Judge of the necessary Measures than the Executive which resides at such a Distance from the Scene of Action. Much therefore, Indeed all that relates to the Volunteers must be submitted to your Discretion as well as every other thing of immediate Concern to the Safety of your County. I am

Sir

Y^r mo. hble Servant

P. HENRY

P. S. It is proper to send a Waggon down for the powder & Flints least Col^o Southall may not get one. Yours will meet his, if she is sent off. P. H.

[Addressed:] Col. W^m Preston Montgomery

(From Journal of the Council.)

Saturday June 27th 1778

The Governor laid before the Board, a Letter of 14th June from Colonel Preston respecting Indian Affairs, and an answer thereto which his Excellency had prepared, for their consideration; and the same being read they approved of the Answer & ordered that it be recorded.

Tuesday June 30th 1778

Mr. Charles Bellini attending, the Governor administered unto him the Oaths required by Law to be taken by a Clerk of Foreign correspondence.

Wednesday July 1st 1778

It appearing to the Board that the Instructions lately given to M^r Richard Morris to purchase Negroes to be exchanged for Beef Cattle in North Carolina are rendered improper by a change of Circumstances They do advise the Governor to direct M^r Morris to forbear to purchase the said Negroes. And his Excellency orders accordingly.

Thursday July 2^d 1778

And the Board considering the great confusion and abuses that might result from the Commissary of Store's selling Goods at y^e reduced Prices to the Troops without any regulation as to the Time of applying and the quantity to be taken do advise the Governor to Instruct M^r Armistead not to issue any Goods to the Officers or Soldiers unless their Wants be certified in a Necessary Roll, specifying the Name and Wants of each Individual, by the Commander in Chief of the State Troops for the time being, at each Station, which Roll the Governor is further advised to direct the Commander-in-chief aforesaid to provide once a Month as soon as may be after the Day on which the Troops receive their Monthly pay. And his Excellency Orders accordingly.

Saturday July 4th 1778.

John Walker esquire having signified that it will be out of his Power to act as a Commissioner at the Indian Treaty to be held at Fort Pitt on account of the Indisposition of his Family, Thomas Lewis esquire of Augusta is appointed in his room; And as there is a probability of Andrew Lewis Esquire his refusing to Act on Account of the Indians having committed Hostilities near his house, in that Case, Sampson Mathews Esquire is appointed to act in his Stead.

GOV. HENRY TO THE PRESIDENT OF CONGRESS, HENRY
LAURENS.³¹¹

(*Cont. Congress Papers, Va. State Papers, 71, vol. 1.*)

W^msburgh July 4th 1778

Sir

I have the Honor of your Despatch of the 27th accompany'd by several packets for the Ambassadors of the united States at Paris. Altho' I have not any particular Conveyance in view at present, I make no Doubt, but in the course of a Week I may find some Vessell going to France; and they shall go by the first opportunity that appears a good one.

Yours of the 13th, to which you are pleased to refer as an Answer on the Subject of the Goods purchased from the fier Rodorique, part of which were offered to Congress, contains an offer to give £450 virg^a money for £100 first Cost payable in Tobacco at £3 per Cent. Several Letters I have had the Honor to write you have informed that these Goods cost this State 6/ for each Livre they cost in France, & that we are to pay for them in Tob^o at £4 per cent deliver'd alongside the french Ship. Congress had from me, & by a Letter written by the honble M^r Digges who at that Time presided, an offer of a large Quantity of

³¹¹This letter was read in Congress, July 13; Whereupon, *Resolved*, That the President write by express to Governor Henry, and request him to spare, for the use of the army of the United States, all the vinegar composing part of the cargo of the ship Roderique, purchased by the State of Virginia.

them at the same price they cost us, payable in Tob^o on the same Terms. Several Reasons were adduced to Shew that payment by Congress in Tobacco was more eligible than in money. If I am to consider the Terms now refer'd to as an Answer to this Offer, they amount to a refusal. And indeed I am at much Loss how to act as the Goods are wanted here by the people at large. A great Quantity of coach Linen is sent up the Bay for Overalls agreeable to a Request of the Board of War. I shall wait a few Days before a definite Step is taken with the other Articles, as perhaps my last Express may bring some Orders from you relative to the Subject.

I beg Leave to present to you my Congratulations on our repossessing philadelphia, & the pleasing Aspect of american affairs, & to make you Sir, my best Acknowledgements for your Attention in sending me the very interesting Intelligence contain'd in your last.

With the highest regard I have the Honor to be

Sir

y^r most obedient & very

hble Servant -

P. HENRY

[Pencil notes on 3d page of letter:]

100 s^{ts} is 2300 Livres-

450 Virg^a in tobacco at £3 p C: is 150^o for 2300 2300 at 6/ is £690 Virgin^a in Tobacco at £4 is 172½ That is 15 p C: more than the Offer

[Addressed:]

public Service

The honble

Henry Laurens Esquire

President of the honble

The Congress at

Philadelphia

[Indorsed:]

Letter from Gov^r Henry

of Virginia

July 4, 1778

read 13.

(From Journal of the Council.)

Tuesday July 7th 1778

His Excellency administered the oath prescribed by Law to be taken by a Privy Councillor to Joseph Prentis Esquire who hath been elected, by joint ballot of the both houses of Assembly, a member of this Board & he took his Seat accordingly.

The Governor having laid before the Board a Letter from the Board of War, another from General McIntosh³¹² & sundry papers from Congress relating to an Expedition resolved on by Congress against

³¹²Gen. Lachlan McIntosh was born in Scotland in 1725. The family removed to Georgia about 1736. In September, 1776, he was appointed brigadier-general of the Continental army with a command in Georgia. The winter of 1777 was passed at Valley Forge, and late in the following spring he was placed in command of Fort Pitt, to relieve Gen. Edward Hand, who was recalled, at his own request, on May 2, 1778.

Detroit³¹³ & requiring from this State large Supplies of Militia, Horses, Provisions, Clothing, ammunition & other necessities for the said Expedition- The Board considering the advanced Season of the Year, the extensive preparations called for & the exhausted State of this Country as to most of the Particulars which are to compose them, with the dispersed Situation of the Militia & the distance of the object, are of Opinion that the Expedition is utterly impracticable within the present Campaign and advise his Excellency to write to Congress submitting to their Consideration the cogent objections which support such an Opinion giving Congress Notice at the same time, that the Executive Power of this State will give every requisite Aid to the Persons employed in procuring the Articles necessary for the Enterprise until their ultimate decision in this Matter be known.

GOV. HENRY TO THE PRESIDENT OF CONGRESS, HENRY LAURENS.

(From *W. W. Henry's "Henry,"* III, 180.)

W^msburgh July 8th 1778.

Sir: Some Resolutions of Congress & proceedings of the Board of War, have been lately transmitted to me, by which it appears that an Expedition against Fort Detroit is resolved on. In order to effect the purpose of it, 2000 of the Militia, together with Ammunition, provisions, horses, military stores, Cloathing &c. &c. are requested to be furnished by this State: I should most cheerfully exert myself in accomplishing the Desires of the Board of War, & to provide without Delay whatever this Country could afford for the Expedition, agreeable to the Resolution of Congress, did not Reasons of the greatest importance arrest me in the first step. I entreat for the Candour and attention of Congress, while I submit to their consideration some of the reasons which have induced me to think the Expedition to Detroit, as announced to me by the Board of War, utterly impracticable at this Season of the Year, & under our present circumstances. In the first place, it is impossible to procure flour in time. I observe it is proposed to be purchased in the County of Goochland. Neither that, or the adjacent counties or County can afford the Quantity wanted. Suppose the contrary, the transportation of it is absolutely impossible at the Time required.

³¹³["Journals of the Continental Congress", Vol XI, p. 588 *et seq.*]

Resolved, That an expedition be immediately undertaken, whose object shall be, to reduce, if practicable, the garrison of Detroit, and to compel to terms of peace such of the Indian nations now in arms against these states that lie on, or contiguous to, the route betwixt Fort Pitt and Detroit.

That three thousand men be engaged in the service of these states, for the purpose above mentioned.

That Patrick Lockhart, Esq. be appointed to procure provisions, pack-horses, and other necessities for the army destined for the above mentioned operations.

That the governor and council of the State of Virginia be requested, on the application of the Board of War, or of Brigadier M'Intosh, to call forth such a body of their militia, (not exceeding 2,500 men,) as shall be judged necessary to complete the number of men appropriated for this service.

The Horses may possibly be got, but I will venture to say that the immediate purchase of 5000 & upwards, which are required, will raise the price to four times the Estimate, and amount I think to near half a million of pounds.

Indeed I am satisfied upon a view of the Articles wanted for this Expedition, that the preparations ought to have begun early in the winter, & that those now making cannot be compleated before next Spring. 5000 pack saddles, tight seasoned casks for carrying the powder, collecting the cattle together, transporting 30,000 lb Lead from the mines, fabricating 1000 horse Belts, 400 felling axes, 3000 Hatchets, Kettles made of rolled iron, procuring Tents, Knapsacks, Haversacks, complete suits of clothes for the Regulars, the recruiting arming, accoutring & Disciplining them; forming Magazines of provisions and military Stores, finding the means of Transportation through that country. These and a vast variety of other particulars, which I do not enumerate, cannot be accomplished of a sudden: On the contrary, from a scarcity of workmen & materials, from the want of wag-gons, from the exhausted State of this Country as to several articles called for, and the distressed Situation of our People, Resources and supplies, I think the next Spring is as soon as the march proposed can be thought of. My perfect reliance on the wisdom of Congress makes me wish by no means to touch upon any Matter that lays within their province to determine. And I should not say anything now touching the general expense of this Expedition, did not the advanced price of most articles in this Country, joined to the nature of the proposed service & the plan for effecting it, make it my Duty to hint, that in my opinion the amount will far exceed the Ideas of Congress; and perhaps approach to a Comparison with the sum which the grand army of Infantry costs the United States for the same length of time. All I request is, that Congress will be pleased to review the estimate of expenses, the nature of the Business, and the time for executing it; and if they shall be pleased to persist in the first plan, I shall think it my duty to forward to the utmost what they direct.

In the mean time, Lieutenant Colonel Campbell, who brings me the Despatches on this subject, is now here, having the Stores of the State thrown open to him, & is desired to select such articles of Clothes as the Troops to be raised may want, and can be found in them. Orders to the Lead mines will also be sent, to forward some Lead towards Fort Randolph or Pittsburgh.

The miseries of the people of Virginia who live exposed to the assaults of the savages, affect me most sensibly. And in my anxiety to see something doing for their protection, I hope for excuse from Congress when I suggest, that if an Expedition is directed against the hostile tribes nearest our Frontiers, very good consequences might result. Such a step seems to be free from the objections which are hinted against the attack of Detroit, where a post will be difficult to maintain while the great intermediate country is occupied by Hostile Indians, & from which it seems easy for the enemy to Retreat with all their stores while they are superior upon the adjacent waters.

Our Frontier people wish for offensive measure against the Indian

towns, & will enlist freely for that purpose. But I cannot help doubting whether the apparent difficulties of succeeding against Detroit at present, will not be an obstacle with them against engaging in the service.

I beg to be favoured with the decisions of Congress upon this matter quickly as possible; that necessary measures may not be delayed, or useless purchases or Expenditures for preparations be made, by the several Agents who are already engaged in their respective Departments.

The Sentiments contained in this letter come from a full Board of Council as well as from me.

I beg to be informed whether it is necessary to push forward the Cavalry and Infantry voted by the last Assembly here. They are to serve but a short time, and if they are not wanted, much expence will be saved by knowing it in time, & preventing their Inlistments, which will be made upon a most expensive plan, & which nothing but a supposed necessity induced the Legislature to adopt.

With great Regard, I have the Honor to be, Sir, Your most obedient & very humble Servant,

P. HENRY.

P. S. The Express has orders to wait for an answer to this, & indeed the State of affairs seems to require it speedily.³¹⁴
The Honble Henry Laurens, Esq^r.

President of Congress.

(From Journal of the Council.)

Wednesday July 8th 1778

His Excellency laying before the Board a Letter which he had prepared to the President of Congress in consequence of their Advice Yesterday, it was read approved of & ordered to be recorded.

Thursday July 9th 1778

The Governor having laid before the Board a Letter from Captain Patrick Lockhart Agent appointed by Congress to purchase Necessaries for the Expedition against Detroit and another from Sampson Mathews esquire by which it appears that from the Want of Flour Casks a much larger Quantity of Linen will be wanted for Bags than this State can possibly supply; And that the necessary Beeves cannot be procured without a Warrant from the Executive to impress them in the Hands of the owners which the Law does not empower them to grant—they do advise the Governor, as only Method of saving much useless expence to the Public, to recommend to Cap^t Lockhart to desist from his purchases till the result of the last application to Congress on that Subject shall be known.

³¹⁴This letter was read in Congress on July 20.

Ordered, That it be referred to the Board of War and Ordnance, and that the Board be directed to take the same under their immediate consideration, and report thereon as soon as possible.

GOV. HENRY TO THE PRESIDENT OF CONGRESS, HENRY LAURENS.

(From W. W. Henry's "Henry," III, 183.)

W^msburgh July 10, 1778.

Sir: Just after sending away to you my Letter of the 8th on the subject of the Expedition to Detroit, the enclosed Letter from M^r Lockhart came to my hands. As it is impossible to furnish him with the Capital articles he wants, & as the Beef Cattle cannot be taken from the Monopolizers he mentions, I think additional reasons appear for postponing the Expedition. However, referring to my last, and to M^r Lockharts, the whole business is submitted to the Decision of Congress, whose Resolves I shall ever take pleasure in executing to the utmost.

With great pleasure I have the Honor to be,

Sir,

Your most obedient & humble servant,

P. HENRY.

The President of Congress.

GOV. HENRY TO THE PRESIDENT OF CONGRESS, HENRY LAURENS.³¹⁵

(From W. W. Henry's "Henry," III, 185.)

Wmsburg July 16, 1778.

Sir: I am honor'd by the rec^t of your Favor of the 9th with the several inclosures. Intelligence rec^d from you on occasions so critical & interesting as the present, cannot but be highly acceptable; & I beg you to be pleased to accept my Thanks for that which you have inclosed to me by this Messenger.

On Sunday Even'g the 5th instant, a firing was seen and heard at our Eastern shore, & continued 'till about 4 o'clock in the morning. Report says here that a French fleet of 16 sail fell in with 5 English men of war, two of which they sunk, two they took, & run the other ashore. Another account says 8 French Shipp's attacked two English, and took only one; but it is confidently said the French sailed for New York, taking pilots to conduct them thither. I make no doubt this is the Count D'Estaing's Fleet.

With the greatest Regard I have the honor to be,

Sir,

Your most obedient & very humble Servant,

P. HENRY.

The President of Congress.

P. S. I have sent an Express with your despatches to Gov^r Caswell.

³¹⁵This letter was read in Congress on July 22.

(From Journal of the Council.)

July 16th 1778

The Governor, with the Advice of the Council, gave Orders to the Commissary of Stores to divide the Goods which are not wanted for the Army and Navy into three Lotts or Parcels, in order that one Lot may be sent to Fredericksburg; one to Petersburg, and one to be divided between Richmond & Williamsburg to be sold out to the Inhabitants at large agreeable to a Resolution of General Assembly.

Friday July 17th 1778

Upon considering the Petition of Captain De Laporte setting forth that sundry Expences to the amount of forty nine pounds, which he sustained by traveling to, and recruiting Men in Carolina for the Service of this State, have been disallowed in the settlement of a former account, and praying that he might be reimbursed the said expences, and that he may be permitted to resign his Commission (his Company being reduced by Desertions & other accidents, to a very inconsiderable Number) in order that he may return to his own Country where his private Affairs require his Presence; the Board are of Opinion that the Prayer of the said Petition is reasonable; and they do advise the Governor to accept of Captain Laporte's resignation & to give him his Warrant upon the Treasurer for the forty-nine pounds. Which his Excellency was pleased to do accordingly.

Saturday July 18th 1778

The Governor informed the Board that being anxious either to procure a Loan of Money, or to establish a Credit in the Spanish Dominions to support the Credit of our Paper Currency, He had to effect that desirable purpose prepared a Letter to Rawleigh Colston Esquire requesting him to Negotiate that Business, and also another Letter to the Governor of Cuba on the same subject, and desiring the advice of Council thereupon- the same was read, approved of & ordered to be recorded.

Monday July 20th 1778

A Petition signed by a number of Inhabitants of the Counties of Princess Anne & Norfolk praying that a strong & sufficient Guard may be kept over Philips & the rest of the Prisoners of his daring Party of Robbers lately taken & sent to the Public Jail in Williamsburg, being read & considered by the Board- They do advise the Governor to order that the number of Sentries over the said Jail be augmented to four, & that he direct the Jailor to keep a strict watch over the said Prisoners.- Which his Excellency orders accordingly.

The Board having under their consideration, the Embargo laid by Congress on provisions throughout the United States, are of Opinion that, altho the general Welfare made the Measure absolutely necessary, & they have no Doubt but it will be discontinued as soon as the General Interest will permit, yet it is a matter of the greatest Importance to the Commerce of this State that the Inhabitants should be made

acquainted with the removal of the said Embargo as speedily as possible thereafter: Wherefore they do advise the Governor to write to the Delegates from Virginia in Congress to give his Excellency the earliest Intimation thereof. And a Letter was accordingly written & ordered to be recorded.

GOV. HENRY TO THOMAS SMITH, STATE AGENT.

(*Virginia State Archives.*)

July 25th 1778.

Sir:

I understand M^r Francy has agreed to let Cap^t Michel of the Lyon have the 500 hhds Tobacco at Alexandria which the State was to furnish there. It is of great Consequence to Cap^t Michel to have this Tobacco without Loss of Time, & I have to beg your efforts to procure that it be delivered without the least Delay.³¹⁶ The Cap^t is to carry his Ships round to Portsmouth & your speedy Assistance to him will be very desirable. As he is from a very respectable House, I wish to oblige him & give him all possible Encouragement in our Tob^o Trade I am

Sir

Y^r hble Serv^t

P. HENRY.

[Endorsed:] Patrick Henry's letter to M^r T. Smith in regard to the Consignment of 500 hhds of Tob^o To M^r Mitchell by M^r De france-

July 25th 1778.

GOV. HENRY TO COL. WM. FLEMING.

(*From W. W. Henry's "Henry," III, 187.*)

Wmsburgh July 27th 1778.

Sir: Your Favor by Express is now before me. I am sorry to hear of the Loss of the Powder in the Carriage up. The Waggoner perhaps is to blame. I greatly approve of having a small Magazine at your House. It may serve the Occasions of the Distressed Frontiers, when supply from below cannot be had in Time. I would rather wish to increase the Quantity of powder & Flints with you. The Lead is in Reach in case of Emergency. As you are so much better able to judge of proper Stations for your small Guards, I cannot but approve what you have done in that Respect, as also of what you may judge it best to do in future as Occasions may require. I can only in general

³¹⁶On July 29 Smith wrote to Capt. Robert Pulley of the Sloop "Congress" and to Capt. Pharoah Fitzpatrick of the Schooner "Peace and Plenty":—"From a particular change of circumstances it is thought proper that the Sloop Congress, and the Peace & Plenty are to deliver their loads of Tobacco along side the Lyon Capt. Mitchell, therefore it is my request that you do it without loss of time."—Letter Book of Thomas Smith, Virginia State Archives.

direct that such steps be taken as the Exigency of Affairs may make proper, as the Distance is too great to await particular Orders from me. You will please to take the Lead you mention to be left near you, & also to sell out such Powder as appears really necessary for the safety of the inhabitants.

I am

Sir y^r mo hble Servt,

P. HENRY

Co. W^m Fleming.

(From Journal of the Council.)

Thursday July 30 1778

The Governor, with the Advice of the Council, appointed the Field Officers of the Militia of this Commonwealth to review the Men offered to them in their respective Counties, by the Officers recruiting for the Continental Army; & to grant Certificates for all such Men as they shall find able Bodied, duly enlisted, and everyway qualified for the Military Service. And the Clerk is directed to have this order Published.

The Trade of this Commonwealth & of its Sister States having suffered considerably from the Depredations committed by certain Armed Vessels commanded by John Goodrich & his Sons, and several persons having expressed a Desire to fit out vessels & cruize in quest of the said Goodriches- The Board do advise the Governor to give such Persons any Assistance in their Power & also to equip & send out one or more of the Armed Vessels of this State to Act in concert with such laudable Adventurers- And the same was accordingly done by the Governor.

GOV. HENRY TO GEN. WASHINGTON.

(Washington Papers, Library of Congress.)

W^m s^burgh July 31st 1778

Sir,

I beg Leave to trouble your Excellency in Respect to Lieutenant White³¹⁷ of the first Virginia Regiment, who unfortunately killed a M^r Green as I'm told in a Duel. It was recommended to him to leave camp as he says, for a while, 'til the first Heats should be allayed, & until the sober Reflection of the deceased's Friends should suffer them to view the Affair in a just Light. M^r White has done so; & he now thinks that his Honor calls him again to the Army where he hopes to go on his Duty again unmolested, unless the Laws of the Army shall render it necessary to call him to account. He with many others supposes that Custom has in some sort controuled the Laws ag^t Duelling in Cases where provocation can be pleaded. However he submits chearfully to what you are pleased to order. I have only to say that I be-

³¹⁷Elisha White, 2d lieutenant 1st Virginia, was dropped as absent without leave in May, 1778.

lieve him a worthy young man & a good Officer. With the highest Esteem I have the Honor to be

Sir

your Excelleney's most obedient Servant

P. HENRY

[Indorsed:]

31st July 1778

from

Gov Henry

Ans^d 14 October

THOMAS WHITING, COMMISSIONER OF THE NAVY, TO
THOMAS SMITH, STATE AGENT.

(*Naval Papers, Virginia State Archives.*)

As Government have at present some purposes of Moment in Contemplation, to accomplish which the whole force of our Navy may be requisite, The Board find it inexpedient to spare the Northampton³¹⁸ longer to the trading department.

Navy Board,

Aug. 1. 1778.

GOV. HENRY TO THE COUNTY LIEUTENANT
OF MONONGALIA.

(*From printed circular, Virginia State Archives.*)

Williamsburgh, August 6, 1778.

Sir: By the resolutions of Congress which accompany this, you will perceive that the expedition against Detroit is laid aside; but that, in order to protect the frontiers, the war is to be carried into such of the enemies towns as General Mackintosh shall direct. This measure, so necessary to relieve the distress of many worthy citizens of this state, I am very desirous to promote; and, in order to assist it in a proper manner, I desire you will draw out so many men from the militia of your county as General Mackintosh may demand, in order to comply with the directions of Congress. You are to take care, as the season is far advanced, that no time be lost to rendezvous the men according to the General's orders; and that every article of equipment which he calls for be furnished in the most speedy and complete manner that circumstances will admit. You are to transmit to me an account of the steps you take in consequence of the orders you may receive from the General, to whom I shall mention the counties that I order to furnish men upon his requisition.

I am, Sir,

Your most humble servant,

P. HENRY.

To the County Lieutenant of Monongalia.³¹⁹

³¹⁸The "Northampton", commanded by Capt. Lusty, has been directed by Smith to proceed to Alexandria for a load of tobacco for the French ship "Lyon".

³¹⁹An identical circular was sent to the County Lieutenant of Frederick.

(From Journal of the Council.)

Thursday August 6th 1778.

The Governor having laid before the Board sundry Resolutions of Congress of 25th July and asked their advice thereupon, and the same being read and considered; The Board advise his Excellency to inclose the Resolution for deferring the Expedition against the Fortresses of Detroit for the Present,³²⁰ and the one directing the Articles already procured for the said Expedition and which are necessary for the incursion against the Towns of the Hostile Indian Tribes to be appro-

³²⁰From the "Journals of the Continental Congress", Saturday, July 25, 1778:

The Board of War, to whom were referred the letters from his excellency Patrick Henry, Esq. governor of Virginia, dated 8 and 10 July report.

That "from various enquiries made by the Board, it appears that success in an expedition against Detroit cannot be reasonably expected, unless the force destined for that service be ready to March from Fort Pitt by the first of September.

"That from the letters received from Governor Henry, and Mr. Patrick Lockhart, appointed to act as commissary, &c. on the above expedition, it appears that the capital articles necessary for carrying on the expedition, viz. men, horses, flour, and beeves, cannot be procured by any means within the time limited, and probably not even during the course of the present year.

"That, from the extraordinary rise of articles, especially of horses, since the expedition was first determined on, the expence of it, if practicable, would exceed, in an enormous degree, the estimate formed by the late commissioners at Fort Pitt, and submitted by the Board to the consideration of Congress;" Whereupon,

Resolved, That the expedition against the fortress of Detroit be, for the present, deferred.

That Brigadier General McIntosh be directed to assemble at Fort Pitt, as many continental troops and militia as will amount to fifteen hundred, and proceed, without delay, to destroy such towns of the hostile tribes of Indians as he, in his discretion, shall think will most effectually tend to chastise and terrify the savages, and to check their ravages on the frontiers of these states.

That such of the articles as have been already procured for the expedition against Detroit, and which are necessary for the incursion against the Indian towns, be appropriated for that purpose, and that the Board of War be directed to give the necessary orders on this point.

That Governor Henry be informed of the determination of Congress with respect to the intended expedition, and that he be desired to furnish General M^cIntosh with such a number of militia as the general shall apply for, to make up the complement of men destined for an incursion into the towns of the hostile Indians.

That the president be directed to inform Governor Henry that Congress have a high sense of the zeal of the assembly of Virginia, in voting, at their late session, a reinforcement of infantry and cavalry for the main army, but that a change of circumstances renders the march and services of those troops at present inexpedient.

That Governor Henry be therefore requested to cease raising the troops voted, and to order such of the infantry as are already raised, and are in the vicinity of the frontier, together with the troop of cavalry, not exceeding fifty men, under the command of an intelligent and active officer, forthwith to join General McIntosh at Fort Pitt.

See "The Proposed Expedition against Detroit, 1778," by David I. Bushnell, Jr. in V. H. M., Vol. XXXII, pp. 65-68.

priated for that purpose to Patrick Lockhart Esquire & desire him to conduct himself accordingly- Also they advise His Excellency to direct the County Lieutenants of Washington, Montgomery, Botetourt, Augusta, Rockbridge, Rockingham, Green Brier, Shenando, Berkeley, Frederick, Hampshire, Monongalia, Yohogania, & Ohio, to draw out so many Men, properly equipped, from the Militia of their respective Counties as General Mackintosh may demand, in order to comply with the Directions of Congress for destroying such Towns of the hostile Tribes of Indians as General Mackintosh in his Discretion shall think will most effectually tend to chastise and terrify the Savages & to check their Ravages on the Frontiers: giving General Mackintosh Notice of such Directions.

And with respect to the Resolution of Congress signifying their high sense of the Zeal of the late Assembly of this State expressed in voting a Reinforcement of Infantry & Cavalry to join the grand Army,³²¹ but that a Change in Circumstances has rendered the March & Services of their Troops at present inexpedient, the Board do advise his Excellency to give Public Notice thereof, in order that all Officers recruiting for the Corps of Volunteers and Horses or other Necessaries for these Troops may conduct themselves accordingly & desist from further Inlistments or making further purchases, in order to avoid unnecessary Expence. And his Excellency gave Orders agreeably to the above advice.

Friday August 7th 1778

The Governor laid before the Board a Letter, he had written to John Gibson Esquire, Auditor General,³²² in answer to his of 24th July requesting that orders might be given to the Treasurer of this State to make monthly Returns to the Treasury Board of the Sums of Money paid into his hands for the purpose of supplying the Continental Treasury conformable to a Resolve of Congress of 22^d November last, & to answer the Draughts of the President of Congress for such Sums, which Letter being read was approved of & ordered to be recorded.

GOV. HENRY TO JOHN GIBSON, AUDITOR GENERAL.

(From Congressional Collection.)

Williamsburg August 7th 1778.

Sir:

Your Favour of July 24th is now with me, and I am sorry that Matters are so Circumstanced that what you request cannot be complied with. It is true that the Assembly of Virginia at their setting in October last enacted that two hundred & forty thousand pounds should be paid into the Continental Treasury as the Quota of Money from this State for the current year. But the same Law directs that the Debt due from the Continent to this State shall be deducted out of that Sum.

³²¹Col. Nelson, who had already reached Philadelphia with his cavalry, was sent back.

³²²This letter was reported by the Treasury Office to Congress on August 21.

From the best State of that Debt, which I am at present able to collect, I think it will exceed 240,000 and if it does, no money can go from hence to your Treasury.

I have for a long Time taken every public Measure to have this Account adjusted, but to very little Effect. The Gentlemen who were appointed to do it, live in Carolina, & their attendance in order to finish it can't now be expected. By the Advice of Council I have stated this Matter to Congress in several Letters in which some speedy Method of settlement has been repeatedly desired in behalf of the Commonwealth. But I am sorry to observe none has been adopted. You will therefore Sir be pleased to expect no Money from Virginia as the Quota for the present year until the accounts are settled- Nevertheless your Letter & the request it contains shall be laid before the Assembly in October next. I inclose a Transcript of the Act above recited & am

Sir

your mo. obed^t Servant

P. HENRY.

[Endorsed:]

Williamsburgh, Aug. 7th 1778.

Governor Henry informing the State of the Treas^y Virginia.

GOV. HENRY TO THE VIRGINIA DELEGATES IN CONGRESS.

(From *W. W. Henry's "Henry,"* III, 190.)

W^ms^burgh August 7th 1778.

Gentlemen; The Resolution of Congress desiring that the March of the New Levys from this State may be stopped, is announced to me, and in Conformity I have inserted a publication in this Day's papers- desiring all it may concern to act agreeably. All the Cavalry were assembled at Port Royal and its vicinity, under the command of Thos. Nelson jr Esq^r, who I understand is gone forward with such of them as are equipped, or nearly so. I have therefore to request, that Congress will be pleased to take such order with respect to them as is judged most proper, as I know not where to address them, or whether it is the Wish of Congress to disband them.

With very great Regard, I have the honor to be,
Gentlemen,

Your most obedient & very humble Servant,

P. HENRY.

The Hon. Va. Delegates in Congress.

(From *Journal of the Council.*)

Wednesday August 12th 1778

The Governor having laid before the Board a Letter from Colonel Arthur Campbell & sundry papers from Kentucky giving Information of the French & Indians at Detroit having a Design to make an Attack upon the Forts in Kentucky; and asking the advice of the Council with respect to what had best be done in the matter- Whereupon, the

Letter and Papers aforesaid being read and considered, the Board advised his Excellency to give Directions to Colonel Campbell County Lieutenant of Washington, to send a number of Men from his Militia not under 100 nor exceeding 150, Officered in the usual manner to the relief of the People of Kentucky, also to order them a supply of Lead & Powder. And his Excellency having written a Letter to Colonel Campbell agreeable to the aforegoing Advice the same was read approved of & ordered to be recorded.

Thursday August 13th 1778.

It appearing that Richard Harrison Esquire Agent at Martinique for this State hath permitted John Sargenton, Samuel Parsons and William Binchamon Merchants at Martinique, to Ship on freight in the Schooner Hornet belonging to this State, Nineteen Hogsheads of Rum & two Hogsheads Sugar on their own account consigned to Thomas Smith, esq., Agent here, for their own Use, contrary to the said Smiths Orders to the said Harrison by Letter of 10th May last for Shipping a particular Quantity of Rum for the use of this State³²³, & notwithstanding there is a sufficient Sum of Money belonging to the State in the Hands of the said Harrison, as appears from his own acknowledgement, to have shipped the like Quantity of Rum on account of the State. The Board are of Opinion that the rum consigned to M^r Smith by James Sargenton, Samuel Parsons and William Binchamon ought to be purchased by the Commissary of Stores for the use of the Army, and that payment for the same ought to be postponed until further Orders.- Which his Excellency orders accordingly.

Saturday August 22^d 1778.

Application having been made by Colonel Marshall to the issuing Commissary to alter the Rations hitherto issued to the Troops serving here, by orders formerly issued & the said Commissary having applied for Directions how to proceed; the Board advise the Governor to continue the Rations composed as formerly ordered of the following Articles per Day viz fourteen ounces Bacon One & a Quarter pound of Pork or Beef and one & a Quarter pound Flour or one & a half pound of Indian sifted Meal and one Jill of Salt per Week

³²³Thomas Smith, in a letter to Richard Harrison, dated August 29, 1778, wrote:—"I would ask what could have induced you to have taken any Goods on Freight, when my Order as well as Mr. Armistead's Scheme was expressly to ship a certain quantity of Goods 'and should there appear to be more Room after complying with the Scheme, to fill the Vessel, or make up the deficiency with Rum, Sugar, & Molasses.' You acknowledge a very considerable balance in favor of the State which ought certainly to have been laid out as above * * * * The proceeding has been so exceedingly reprobated by the Governor & Council that they have taken upon them to stop the amount of Mr. William Bingham's 13 Hghds Rum (which I sold the State at 30/. per Gallon)—until you give a satisfactory account of your Conduct on this Occasion.—Letter Book of Thomas Smith, Virginia State Archives.

For account with Richard Harrison see V. H. M., Vol. XVIII, p. 63 *et seq.*

In 1789 and 1790, when the account was finally settled, Richard Harrison appears to have been living in Alexandria.

Upon examining the Case of Patrick Ronaldson it appears that he was represented by the Court of Isle of Wight County as coming within the Resolution of the General Assembly of 18th Dec^r 1776 requiring the Statute Staple of the 27th Edward III Chapter 17th to be put in execution against Certain Natives of Great Britain and that he was accordingly ordered to depart this Commonwealth within forty Days after passing the said Resolution; And whereas it now appears he hath lately returned to this State contrary to the Intention & meaning of the said Resolution, the Board are of Opinion that the said Ronaldson is a Prisoner of War; and they do advise the Governor to give Orders for his being confined as such to the Town of Smithfield & within the Limits of three Miles therefrom on giving his Parol of honor to demean himself in all things as a Prisoner of War. And the Governor was pleased to Order accordingly.

August 25th 1778.

The Governor having laid before the Board a Petition from the Inhabitants of Norfolk together with a Letter from Colonel John Wilson respecting the Cases of Zadock Dailey & Caleb Powers two Deserters from Captⁿ Thomas Bressie's³²⁴ Company of State Troops, & praying that they may receive pardons for their Desertions & a discharge from the service; and that they may be paid the rewards promised them for the great Service they have rendered the Country by taking & killing several of the noted Phillips's gang of Robbers; which Petition & Letter being read & considered, the Board advised his Excellency to pardon & discharge the said Dailey & Powers. But with respect to paying the reward promised them, they are of Opinion that the Powers of the Executive are not competent thereto; but they have no Doubt of its being paid on Application to the Assembly. The Board also advised the Governor to inform Colonel Wilson that the other Deserters mentioned in his Letter shall be recommended to Congress for Pardon.

September 2^d

The Board considering the great Charge & Expence of the Labourers and Workmen employed at Portsmouth Garrison which might be greatly lessened by sending Part of the Company of State Artificers to work there; they do advise the Governor to direct the Commanding Officer at that Station to discharge the Labourers & Workmen from doing duty at that Place, and to order that part of the Company of Artificers be employed in their stead.- Which his Excellency orders accordingly.

The Governor informed the Board, that, in consequence of their advice respecting the poor Sailor of the *Fior Rodorique*, an Armed Ship belonging to certain Merchants of the Kingdom of France) who was unfortunately Shot thro' the Arm by a Soldier in the Service of this State, in an unlucky Fray that hapened at York between the French Sailors & some of the Soldiers; he had directed the Agent, M^r Smith, to purchase & put on board the said Ship Six Hogsheads of

³²⁴Thomas Bressie, captain 1777-1782.

Tobacco for the use of the unfortunate Sailor aforesaid, as some Compensation for the Loss of his Arm, & to pay the freight of the said Tobacco should Captain Montau of the said Ship require it. The Board highly approving of the Orders which his Excellency has given respecting the Matter, directed that an Entry might be made on the Journal of their Approbation, as there was none made of their Advice.

Friday September 4th 1778.

Mr David Ross appeared in Council & presented a Letter which he had received from his Brother James Ross who was just arrived at South Quay, informing him of his having sold off his Slaves in the West-indies, & that he has some Notion of purchasing Lands in this State or Carolina & desiring to know if he can be permitted to do so; Whereupon the Letter being read and considered his Excellency asked the advice of the Board respecting the Subject Matter thereof, and they were of Opinion that the Case of M^r Ross ought to be laid before the Assembly at their next Meeting, but advised that he should be permitted, in the mean time, to stay at his Brothers in Petersburg, or at either of his Plantations in Bedford or Goochland. Which the Governor orders accordingly.

The Governor having communicated to the Board a Letter he had received from Richard Henry Lee esq; informing him that two Frigates are ordered by Congress to cruize off our Capes in quest of the notorious Goodriches; & that it will be necessary for the Execution to appoint some proper Person at Hampton to lay in Provisions & other Necessaries for the use of the said Frigates- Whereupon they advised his Excellency to appoint M^r Miles King Agent for that Purpose;³²⁵ & M^r King was accordingly appointed Agent.

The Governor, with the Advice of the Council, appointed & Directed Captain Klauman to make a tour to all the Magazines in this State & to inspect the arms ammunition and Public Stores at each of them, & to make report to this Board of the Number & Condition of the Arms, Ammunition, & the manner in which they are kept.

JOHN PAGE, LIEUTENANT-GOVERNOR, TO THOMAS SMITH, STATE AGENT.

(From Auditor's Papers, Virginia State Archives.)

Williamsburg in Council 11th Sept^r 1778.

Sir

The Board are much surprised at Mr. Hunters Conduct³²⁶ in his late Transaction with you respecting the Sale of 200 Hhds Tobacco. They had no Idea of the States purchasing any Tobacco for which Inspection Notes cannot be given; so far from giving 5£ for such Tobacco

³²⁵Miles King, a surgeon's mate in the First Virginia Regiment, had retired in September, 1778. In 1781 he received the warm commendations of the French fleet and soldiers for assistance rendered. After the war he was successively a member of the House of Delegates, a member of the State Convention of 1788, and mayor of the city of Norfolk. He died in 1814.

³²⁶Smith immediately wrote a severe letter to James Hunter,—Letter Book of Thomas Smith, Virginia State Archives.

as M^r Hunter has sold you they would not have consented that you should have offered him a Shilling for it. It is the Opinion of the Board therefore that you write M^r Hunter complaining of his not having complied with your proposals or our Ideas, and that you desire that he will refund the Money immediately,- I am

Your Humble Serv^t

To M^r Smith

JOHN PAGE.

Agent for the
Commonwealth.

(From Journal of the Council.)

Friday September 11th 1778.

John Page Esquire presiding

A Letter from Col Sampson Matthews, of the 3d instant, inclosing Copies of Letters from generals McIntosh & Lewis & Captain Arbuckle respecting Frontier Matters, & also the Proceedings of Augusta Court respecting the Cases of the two Cryders who were tryed under the Act of Assembly intituled An Act for the Punishment of Certain Offences, was laid before the board & read as also were the Papers inclosed- And upon consideration thereof, the Lieutenant Governor was advised to write the following Letter in answer to Col. Matthew's (Vide Letter Book).

Thomas Whiting esq; first Commissioner of the Navy Board appeared in Council & informed the Board that the Tartar, Dragon & Northampton Ships of War are properly manned & every way fitted for a Cruise, & waited only for orders- Whereupon a Letter to the Commissioners of the Navy Board desiring them to order the said Ships immediately out to sea cruising backwards & forwards within the Limits of a few Leagues North of Cape Charles keeping always within fifty Leagues of the Land and using their utmost diligence to capture the Enemys Cruisers particularly those Commanded by the Goodriches:³²⁷

³²⁷The following throws light on the activities of the Virginia Navy:

[Abstract of the declaration of Joseph Saunders, obtained from the Pension Office in Washington.]

"In March, 1777, Joseph Saunders enlisted in the navy of the State of Virginia for three years, going on board of the ship 'Dragon,' then on the stocks at Fredericksburg, * * * * *

"A squadron rendezvoused at a station near the Capes of Virginia, consisting of the ships 'Tartar', Capt. John Taylor, who was also in command of the squadron; the 'Tempest', Capt. Celey Saunders; the 'Dragon', Capt. Eleazer Callender; the brig 'Home Forgot', commanded by John Leister, previously a lieutenant of the ship 'Dragon', and a tender. Orders were soon received from the Navy Board to sail on a cruise, and in two or three days after leaving the station they were pursued by a 74-gun ship, which compelled them to separate and escape to their former station. While the 'Dragon' was in that vicinity, under loose sail, she was approached by a British privateer, and after exchanging two or three broadsides the privateer discovered its mistake in the character of her opponent hauled off to escape; but the cannonade was heard by Captain Taylor, of the 'Tartar', who pursued, and in an engagement he received a dangerous wound, and his lieutenant permitted the enemy to escape. Soon Captain Taylor resigned, and was succeeded by Captain William Saunders, with Capt. James Barron in command of the squadron. Captain Callender also resigned, and was succeeded by Capt Edward Travis, in command of the ship 'Dragon'.—Mrs. W. C. Stubbs's "Early Settlers of Alabama", p. 321.

And to desire the Commissioners, if they should think it convenient, when the said vessels return from their first Trip southward, to order them to cruise a little farther Northward in expectation of falling in with the Continental Frigates which are expected on this Station should they not be arrived before.- And the Board do also advise his Honor to give the Commanders of the said Vessels Letters of Credit & recommendation under his hand & the Seal of the Commonwealth, in case of Accidents, engaging in behalf of the State, that all reasonable Expences which may be incurred by any of them shall be paid on demand. And his honor wrote Letters accordingly.

Thursday September 17th 1778.

Dudley Digges presiding.

A Letter from Colonel Josias Clapham,³²⁸ of the 11th Instant, desiring to be permitted to send a Company of Volunteers which had been raised in Loudoun by Virtue of an act of Assembly for reinforcing the grand army, to the Assistance of General McIntosh's Brigade, if there were any Men raised in his County for that purpose, to order them to rendezvous at Winchester in order to join General McIntosh and desiring to be furnished with the necessary Cloathing for said Volunteers should they be permitted to march, was read & considered, and thereupon, the Lieutenant Governor was advised to write to Colonel Clapham referring him to the Governors publication of the 6th August respecting the Troops raised under the aforesaid Act and to inform him that the Executive Power have no Right to order the Volunteers to join any Corps whatsoever.

Thursday September 24th 1778.

[His Excellency Absent]

Present Dudley Dugges & Nathaniel Harrison Esquires.

Congress having resolved, That it be recommended to the Legislature or Executive Powers of the State of Pennsylvania & the States Southward thereof, to permit such Vessels to load with Flour, Wheat, rice, corn, peas or beans, for the Eastern States, as shall come recommended by the Executive Powers of such States, or any of them to carry Provisions for the Consumption of the People of those States. And recommendations being produced from the Executive Council of Massachusetts Bay, for the following Vessels viz Schooner Polly, Able Woodbury Master; Schooner Salley, Richard Ellingwood Master; Schooner Fortune, Nat Bacon Master; Schooner Hope, Thomas Sowers Master, & the Brigantine Katy, Silvanus Nickleson Master, to be permitted to take in their Loadings of Flour & Grain in this State to supply the Necessities of the People of Massachusetts; and the several persons making application for Permits being waiting on Expenses & there being no probability of Members enough attending to make a regular board: The members present thought it expedient to direct the Naval Officer of South Potowmack to permit the Vessels aforesaid to take in their Loadings for the Purpose aforesaid accordingly.

³²⁸Josias Clapham, colonel militia, 1777-1781.

Thursday October 1st 1778.

On the Recommendation of the Executive Power of Massachusetts Bay, agreeable to a Resolution of Congress, the Lieutenant Governor is advised to direct the Naval Officer for the upper District of James River, to permit the Schooner General Hancock Nathaniel Cocke Master to take in her loading of Flour & Grain for the use of the Inhabitants of the said State of Massachusetts.

Friday October 2^d 1778.

John Page Esq^r who presides as Lieutenant Governor.

A Memorial of Sundry Inhabitants of the South Western Frontier Counties of this Commonwealth in behalf of themselves and all the Inhabitants of those Counties, was laid before the Board, and read, setting forth that an Offensive War carried into the Indian Towns, particularly the Shawanese Towns, would be the most likely means to prevent the frequent incursions of those Indians into the said Counties and would more probably protect the Inhabitants thereof, than by having recourse to defensive Measures only; And the Board, upon mature consideration thereof, are of Opinion that, altho' such an Expedition as proposed by the said Memorial, might prove of the greatest Utility & Security to the Inhabitants aforesaid, yet, as it is utterly impracticable at this juncture to furnish Camp Kettles, Linen for Tents &c. and without which, as is set forth by the said Memorialists, such an Expedition cannot be carried into Execution, it is improper at present to attempt complying with the request of the Memorialists by directing a War to be carried into the Indian Country separately & distinctly from the Expedition now under the Directions of General McIntosh & therefore recommend it to the Memorialists to lay their Memorial before the said General McIntosh that he may render them such Assistance as may be consistent with his orders & for the good of the general service.

Monday October 5th 1778.³²⁹

John Page Esquire Lieut. Gov.

The Lieutenant Governor having laid before the Board a Petition of Sundry of the Principal Inhabitants of the County of Augusta, complaining that the Number of one hundred & fifty of the Militia of the said County which were lately ordered to Garrison Fort Randolph, upon application made by General McIntosh, was a greater proportion than could be spared consistently with Justice & equality respecting other Counties which lay more convenient to Fort Randolph & which has not hitherto furnished so many Militia as had been before ordered from Augusta to join General McIntosh; And the Board, upon seriously considering the said Petition, are of Opinion that the same is reasonable, and they do advise the Lieutenant Governor to write Letters to General McIntosh & to the County Lieutenant of Augusta revoking the former Order of this Board for draughting one hundred & fifty Militia afore-

³²⁹On this day the General Assembly convened.

said, and the other Letters to the County Lieutenants of Rockbridge, Botetourt & Montgomery requiring them to raise fifty of the Militia of their Counties respectively and march them forthwith to Garrison Fort Randolph, in the room of the hundred & fifty formerly ordered for that purpose from the County of Augusta.

[Governor Henry was present again at the meeting of Oct. 7.]

Thursday October 8th 1778.

A Letter from Henry Laurens esq; President of Congress, dated the 26th last month, inclosing Resolutions of Congress of the 25th said Month requesting the Executive Powers of Virginia & North Carolina to Give, without loss of time, all possible Aid to the States of South Carolina and Georgia,- there being great reason to apprehend an attack by the Enemy upon those States; was read, as also were the Resolutions inclosed, and the Governor was advised to send the same to the General Assembly for their consideration.

GOV. HENRY TO THE GENERAL ASSEMBLY OF VIRGINIA.³³⁰

(From Va. State Archives, Ex. Com.)

W^msburg Octo^r 8, 1778.

Sir

I do myself the Honor to inclose you a Letter from the President of Congress, & sundry Resolutions of that Body, upon which I shall be glad to be favor'd with the sense of the General Assembly.

You will easily see from the great Importance of the Matter contained in these Papers how necessary it is to give it the earliest Attention.³³¹ I have the Honor to be

Sir

Y^r Most obedient
Hble Servant

P. HENRY

Letter to General Assembly.

³³⁰Read in the House on October 8, and referred to the committee of the whole House on the State of the Commonwealth.

³³¹On October 16 the House, resolved itself into a committee of the whole. * * * *

A resolution of Congress, bearing the date the 25th day of September, 1778, whereby the Executive powers of Virginia are requested, without loss of time, to give all possible aid to the States of South Carolina and Georgia, by marching into South Carolina one thousand men, comprehending all the continental troops of this State, having been communicated to this House by his excellency the Governor, who, with the advice of the Council, hath desired the opinion of this House of the propriety of complying with such request.

Resolved, that it is the opinion of this committee, That all possible aid ought to be rendered by this State to any of the sister States requiring such aid; and that the Governor upon further and more certain information being by him received, ought to march without loss of time any number of men not exceeding three thousand, to the assistance of the State of South Carolina.

*(From Journal of the Council.)*Wednesday October 14th 1778

Several Circumstances & Matters having occurred since the last Session of the Assembly which seem to require the Attention of the Present Assembly, & the same being drawn up in form The Governor is advised to send a Copy thereof to the Speaker of the House of Delegates to be laid before the Members; & a Copy is ordered to be filed in the Council Office.

The Clerk is directed to advertize for the Several Officers appointed to enlist Men to fill up the Continental Regiment raised in this State agreeable to an Act of the last Session of Assembly to appear Personally at the Council Chamber on the last day of this Month to render an Account of their proceedings.

FRAGMENT OF A COMMUNICATION FROM PATRICK
HENRY TO THE GENERAL ASSEMBLY,
OCTOBER 14, 1778.

(From Virginia State Archives.)

that while the Executive is attending to Trade, Government Affairs are necessarily in danger of being too hastily determined; therefore I must submit to the General Assembly to consider, whether it might not be of service to the Community at large, to have a public Board of Trade established.

9thly. General Muhlenburg has informed me by Letter, that by various losses happening to him while he has been in the Service, his future prospects of providing for his Family were altogether centered in the back Country, where an abundance of fertile vacant Land seemed to promise him a comfortable subsistence in case he should survive the present War; but apprehending that a Disposition of the vacant Lands would soon take place in this State, and that his being confined to the Army wou'd deprive him of an Opportunity of procuring a share of them, he desired my Agency in his Behalf and as I have great Reason to think that numbers of the Officers will be found in similar Circumstances, I beg leave to submit this to the assembly, as a Case deserving their serious attention.

10thly. The Cherokee Indians have expressed great Uneasiness, at the Apprehension of Colonel Nathaniel Gists Claim to a certain Island in Holston River, called the great Island declaring that it was never intended by them to grant the said Island to him or any other Person. It is therefore apprehended that the Claim set up by the said Colonel Gist was founded on Mistake, and that the General Assembly confirming the said Island to him might give Umbrage to the Indians, and interrupt the good Understanding at present subsisting with them.

11thly. The Naturalization of Foreigners is at present a Matter of great Importance and remains unsettled, as well as the Footing, on which British Subjects, "who have been well disposed towards America and coming here for Protection", are to be considered. The Executive

have been applied to on both these Subjects and finding great difficulty attending them, I beg leave to recommend to the Assembly to express their sense thereupon.

12thly. In a few Instances I have, with the advice of Council, remitted Fines and granted Pardons for Offenses not Capital and this was done on a supposition that the Constitution warranted it; but some Doubts have arisen on the Propriety of it. As therefore the Exercise of a Power, however salutary for the present, in its effects may prove pernicious, if its Legality is not clearly ascertained, I must take the Liberty to recommend, that this part of the Constitution be made explicit.

With great Regard I have the Honor to be Sir,
Your most obedient and very humble Servant,
P. HENRY.

To the Speaker of the House of Delegates.

[Endorsed:] Recommendation from Governor & Council Oct^r
14, 1778

(*From Journal of the Council.*)

Friday October 16th 1778

A Letter was written by the Governor with the Advice of the Council, to M^r John Moss Agent for retailing Goods to the Virginia Quota of Troops in Continental service, in answer to his, to his Excellency, of the 22^d Ult^o a Copy of which is filed and Ordered to be recorded.

Saturday October 17th 1778.

The Chairman of a Committee of the House of Delegates appointed to enquire into the Steps that have been taken for supplying the Army with Necessaries as directed by the last Session of Assembly having applied to this Board thro one of its Members for a Sight of the Journals or other Papers which might throw any light on the Subject of their enquiry: The Board took under their serious Consideration the Note of the House of Delegates appointing the said Committee and the Application of the Chairman & finding neither authorized by the Act of Government, and considering themselves accountable to the General Assembly *alone* for their Conduct, before whom & not a Committee of either House, they are according to the Constitution obliged & are willing at any time to lay their Proceedings when called for, They do advise the Governor to inform the Chairman of the said Committee that the Executive do not conceive themselves obliged to communicate their Proceedings to any Committee whatever. And the Governor informed him accordingly.

(*From Journal of the House of Delegates.*)

Saturday, October 17.

The Speaker laid before the House a letter from the Governor, enclosing one from Colonel Matthews;³³²

³³²Thomas Matthews, captain 4th Virginia, 1776; resigned 15th November, 1777, served subsequently as lieutenant-colonel Virginia Militia.

His excellency the Governor, having received information from Major Thomas Matthews, the officer commanding at Fort Henry, that a British officer has arrived there charged with despatches from the enemy at New York, directed to the Speaker of the Assembly, to the several officers of government in this State, and the ministers of the gospel; which the said Major Matthews hath refused to receive, till he shall know the pleasure of the Governor therein; and he having laid the said information before this House, and requested their advice how he shall proceed;

Resolved, therefore, That his excellency the Governor be requested to inform Major Matthews, that this House highly approve his conduct in refusing to receive the several despatches, brought by the British officer from New York.

Resolved, that it is the opinion of this committee, That his excellency the Governor be requested to direct Major Thomas Matthews, to inform the officer charged with the despatches from New York, that they look on this attempt as calculated to divide and mislead the good people of this country, and that they highly resent the behavior of him, and those who sent him as they must well know, that this State ought to hold no such correspondence with the enemies of America.

Resolved, That his excellency the Governor be requested, to direct Major Thomas Matthews to order the officer charged with the said despatches, immediately to depart this State with the same; and to inform him, that in future any persons making a like attempt shall be secured as an enemy to America.

(From Journal of the Council.)

Thursday October 22^d 1778.

It being represented to the Board that an extra Guard is at this Juncture peculiarly necessary, effectually to prevent the escape of several atrocious Criminals from the Public Jail. Thereupon They do advise his Excellency to direct the County Lieutenant of York to send forthwith to the City of Williamsburg one or more Divisions of the Militia of the said County so as to insure thirty effective Men rank & file & that in the meantime the Commanding Officer at W^msburg Station be directed to furnish 24 Centinels for the above Purpose.

Friday October 23^d 1778.

A Letter was written to his Excellency General Washington on the Subject of reinlisting the Virginia Troops in the Continental Army, and an Extract of an Act of general Assembly respecting that business was inclosed to his Excellency. (vide Letter recorded)

Saturday October 24th 1778

The Committee appointed yesterday to enquire where & upon what Terms proper houses may be had for the Purpose of a Public Store, reporting that they had according to direction made the Proper enquiry & can find no houses so convenient as those belong-

ing to M^r Hornsby & at present occupied as a Public Store, and as M^r Hornsby is willing to take three thousand Pounds for the said Houses & Lots, they think it would be cheaper upon the whole for the Public to Purchase the said Houses & Lotts than to rent any other houses in the Town by the year & repair & make fit for the Purpose at the expence of the Public- Whereupon the Board advised the Governor to direct M^r Armistead the Commissary of Stores to purchase of M^r Hornsby his houses & Lotts at the price aforesaid for the use of the Public. Which his Excellency orders accordingly. (the report of the Committee is filed)

October 26th 1778

It being represented to the Board that great abuses are practiced by the Soldiers in their Dealings at the Public Store whereby they obtain more Goods than are necessary for their own use making Sale of the overplus and that the former Regulations directing that necessary Rolls from each Station signed by the Commanding Officer to be sent to the Commissary of Stores monthly, specifying the Goods wanted for each Officer & Soldier is neglected. The Governor is advised to issue Orders to the Commissary of Stores to refuse delivering the Goods to the Officers & Soldiers of this State unless the Names of the Officers & Soldiers be mentioned & the several Articles be specified in such Rolls from each Station aforesaid; & to direct the Clerk to transmit a Copy of this Order to the Commanding Officer at each Garrison. Which his Excellency Orders accordingly. (Copies were sent to y^e Officers)

(From Journal of the House of Delegates.)

Friday, October 23.

The Speaker laid before the House a letter from the Governor, inclosing one from the President of Congress, and several resolutions of that body.

A petition³³³ of several officers belonging to the regiment of State artillery; setting forth, that they conceive themselves injured by the Governor and Council appointing Captain De Klauman,³³⁴ who has not enlisted a single soldier, to take command of them who have enlisted their full quotas, and praying such redress as may be thought expedient.

Tuesday, October 27.

Resolved, That the Governor, with the advice of the Council, ought to be empowered to appoint such persons as he shall think proper, to seize and take all grain and flour necessary for the support of the said squadron and American army, that may have been or shall be forestalled or engrossed by any person or persons within this Commonwealth, allowing for the same such prices as shall be affixed by three reputable freeholders upon their oath.

³³³(This petition was rejected. See Minutes for Nov. 26, 1778.)

³³⁴De Klauman was a Dane who had presented a testimonial from the King of Denmark. This paper, together with others concerning him, is preserved among the Executive Papers, Virginia State Archives.

*(From Journal of the Council.)*Tuesday October 27th 1778

An Express having arrived from Congress informing his Excellency the Governor that the British Troops are embarking at New York, & it being Doubtful whether they be destined for South-Carolina or elsewhere; The Governor is advised to write a Letter to the Commissioners of the Navy requiring them to Order two armed fast sailing Boats to keep a Constant look out at our Capes & to give the most speedy Intelligence, if they should discover any Fleet at or near the Capes aforesaid. And the Governor wrote a Letter accordingly.

Thursday October 29th 1778.

Mess^{rs} William Eaton & John Brown having offered their Services to Act as Commissaries of Purchases & Issues for the Army and Navy, And the Commissioners of the Navy being invited to attend & being present. The Board & the said Commissioners approved of the said Eaton & Browns offer which was to purchase, for twelve Months, such Quantities of Pork, Beef, & Flour as may be necessary for the Army and Navy, or as they may be directed to purchase by the Governor and Council or the Navy Board, & to have the same cured & Stored Stored at such Places or delivered to such Persons as they may be directed from time to time during the course of the ensuing year; that they will use their Endeavours to make all Contracts for Purchasing & preserving the Pork Beef & Bacon as advantageous for the State as possible, having due regard to the Character of the Persons they contract with; that they will keep fair & distinct Accounts with Proper Vouchers for all Monies they may lay out in the execution of their office, & render the same with their several Contracts when required, And that they will in all respects follow such Instructions as they may, from time to time, receive from the Governor & Council, or Navy Board: in consideration for which the said William Eaton & John Brown are to receive the Sum of Eight hundred Pounds, exclusive of their necessary expences in the execution of their Office- The issuing Business is to be under the same Regulation as it was last year, except that at W^msburg Station there is to be but one issuing Commissary, unless while the said Eaton & Brown shall be employed in the Purchasing Business.

(From Journal of the House of Delegates.)

October 29.

The very extravagant prices of all commodities making it impossible that the officers in the continental service can subsist upon the pay allowed by Congress; and it being highly improper and unjust, that they should spend their incomes, as well as risk their lives, in the defence of their country:

Resolved, That one year's pay be advanced out of the treasury, to every officer of the Virginia line now in the service; and that the Gov-

ernor be desired to remit the same, in such manner as he, with the advice of the Council, shall think proper.

Ordered, That the said resolution do lie on the table.

The Speaker laid before the House, a letter from the Governor, informing him that agreeable to a resolution of the House, the Journal of the proceedings of the Council Board, was laid before the House.

Friday October 30, 1778.

A message from the Senate by Mr. Cabell:

Mr. Speaker,- The Senate have agreed to the bills, "to empower the Governor and Council to lay an embargo for a limited time;" and also "to extend the powers of the Governor and Council," with several amendments thereto.³³⁵

(From Journal of the Council.)

Saturday October 31, 1778

This being the day appointed for the Officers recruiting for the Continental Army to make returns of their Enlistments, & several of them making returns accordingly, from which it appears that few men have been enlisted- the Board do advise the Governor to discontinue Francis Smith, Alexander Baugh, John Lewis, Thomas Richardson, Elisha White, Daniel Barksdale, John Halcomb, William Allen, & Alexander Cummins & to order them immediately to settle their Accounts with the Auditors. Which the Governor orders accordingly.

The General Assembly, in consequence of the requisition of Congress for One Thousand Men to be marched from this State to Charles Town South Carolina, having passed an Act for extending the Powers of the Governor & Council whereby they are empowered upon receiving certain Information that an Invasion is intended against any Sister State, to march any Number of the Militia of this State not exceeding three thousand Men to assist in repelling such Invasion; and the Board, resuming the consideration of the Letter from the President of Congress & the resolution of Congress requesting that Men be sent to Charles Town, do advise the Governor forthwith to issue orders to such County Lieutenants, as are most convenient for the Purpose, to equip & march from their respective Counties such Numbers of their Militia as may be proportioned to their Strength, without delay by the shortest & best route, to Charles Town South Carolina for the Purpose of Aiding & Assisting against the meditated Attack of the Enemy, to serve during the Space of five Months from the time of their marching if necessary according to the Vote of Congress aforesaid.

The Board having this moment received Intelligence from Governor Johnston of Maryland that a great part of the enemy's fleet had fallen down to the Hook on the 17th Instant & their Destination with 16 Ships of the Line supposed to be for Boston; it is therefore thought advisable to suspend the Execution of the above Advice for marching

³³⁵For these Acts see Hening, IX, p. 474 and p. 477.

Militia to the relief of S^c Carolina, til some further Intelligence can be had as the setting on foot that Expedition would greatly tend to increase the Price of all Necessaries for the Army already enormously high, & therefore ought not to be undertaken but on further proof of the Enemy's Design being to attack Charles Town.

(From Journal of the House of Delegates.)

Monday, November 2.

The Speaker laid before the House a letter from the Governor, stating several matters for the consideration of the General Assembly, and enclosing a state of the proceedings of the Governor and Council, in supplying the army with necessaries, together with the instructions given to Mr. John Moss, who was sent to camp to superintend the distribution thereof.

The Speaker also laid before the House, another letter from the Governor, enclosing several others from Col. Muter, Capt. Callender, and certain persons just arrived at Hampton from New York with a flag of truce.

[In the Journal of this date will be found the names of those forbidden to enter the State and those who were to be admitted.]

The Speaker laid before the House a letter from the Governor, enclosing another from his excellency Gen. Washington,³³⁶ and a return of the Virginia Troops in the continental service.

(From Journal of the Council.)

Monday November 2^d 1778

The General Assembly having passed an Act to empower the Governor & Council to lay an Embargo on Provisions for a Limited time. The Board do advise the Governor to issue his Proclamation for laying an Embargo on all Species of Provisions until the first Day February next, as it is thought the Exportation of Provisions from this State will be attended with manifest Injury to the United States, by supplying the enemy & by rendering it difficult for the Public Agents & Contractors to procure Supplies for the American Army & will moreover give an encouragement to Engrossers & Monopolizers to prosecute their baneful Practices. And a Proclamation was issued accordingly.

Tuesday November 3^d 1778

A Permit was granted to Daniel Gray, of the Sloop Dove, to carry a Load of Flour & Grain to Rhode Island for the use of the Inhabitants of that State, he having produced a Recommendation from the Executive Power of said State agreeable to Resolution of Congress.

³³⁶In a letter, dated November 12, 1778, from Col. James Wood to Gen. Washington, occurs the following:—"On my arrival, I discovered that the whole legislative body were highly pleased, with a thorough persuasion that the war was at an end, that the British troops were embarking, and that there was not the most distant probability they would again return to the Continent. On Gov. Henry's laying your Excellency's letter before the House, I was happy to find it effectually aroused them from their lethargy."—"Correspondence of the Revolution", edited by Jared Sparks, Vol. II, p. 229.

Wednesday November 4th 1778.

Information being given by the Commanding Officer at this Station that a much greater Quantity of fire wood has hitherto been furnished to the several Captains, Subalterns and Staff Officers in the Service of this Commonwealth, than is requisite, The Board do advise the Governor to order that in future no more Wood be furnished by the Quarter Master to any of the aforesaid Officers than will be sufficient to supply constantly one fire Place for each Officer respectively, And they do advise his Excellency to require the Commanding Officer at each Garrison to see that his Orders respecting this Regulation be punctually complied with at their Posts respectively.

Which his Excellency orders accordingly.

Thursday November 5th 1778.

On considering the several Informations with respect to the Subject of issuing Forage & on a View of that Matter at large, the following Regulations are adjudged proper and the Governor is advised to issue Orders to the Quarter Master as follows viz-

Officers of the State to draw Forage agreeable to the continental Regulation. But this is to be confined to cases only where horses bona fide belong to the Officers & are actually kept by them respectively at their own Posts-

No Officer is at Liberty to use the Public Horses for Private Purposes, nor under Colour of Public Service, without an order from the Commanding Officer at the Station.

No Officer drawing Forage for a horse, is to be permitted to use a public Horse on any Occasion except in Cases of the most pressing Emergency.

No Officer is at Liberty to have Forage issued at a Station where he is not, or to assign over a Right to draw Forage to any other Person.

GOV. HENRY TO THE PRESIDENT OF CONGRESS, HENRY LAURENS.³³⁷

(From W. W. Henry's "*Henry*," III, 197.)

W^msb^urg Nov^r 9th, 1778.

Sir: No time was lost in laying the Resolution of Congress for the march of militia from this State to S^o Carolina, before the General Assembly. The Law did not empower me to march the militia to the assistance of the neighbouring States, only in cases of actual invasion; But an act is now passed by which that Power is given in Cases of expected or apprehended invasions. The march was planned, & the Countys to furnish the requisite numbers were selected, when intelligence from Gov. Johnson of Maryland arrived, by which it seems pretty certain the enemy are gone northwardly. The Council upon this ad-

³³⁷Read in Congress November 18.

vised me to suspend the march of the Troops: And in this State of uncertainty the matter now remains.

I shall be happy on all occasions to forward the views of Congress & contribute to the safety of the United States, & beg Leave to assure you of the most perfect Esteem with which I have the honor to be Sir,

Your most obedient Servant,

P. HENRY.

Honble Henry Laurens, Esq^r.

President of Congress.

(From Journal of the Council.)

Tuesday November 10th 1778

The Board taking into consideration the perilous Situation of the People of Monongalia County, Advised the Governor that Orders be given to convey 130 Rifles belonging to the Public at Fredericksburg to that County addressed to the Care of the County Lieutenant with Directions to sell them for their value to such of the Inhabitants who from their particular Situation & Circumstances are most in want of Arms & who are most likely to make proper use of them: That he pay to Pierre DuVall esquire two hundred & forty pounds for transporting the said Arms & one thousand pounds powder out of the Money arising from the Sale of the said Arms according to contract entered into with Colonel Gaddis of Monongalia, & it was accordingly ordered by the Governor.

(From Journal of the House of Delegates.)

Tuesday, November 10, 1778.

Resolved, That the Governor be requested to lay before this House, such returns of the militia as have been made to him by the several county lieutenants.

Thursday, November 12.

The Speaker laid before the House a letter from the Governor, enclosing sundry letters and papers, and stating a matter for the consideration of the House.

1. *Resolved*, that it is the opinion of this committee, That upon information received upon oath, that any person or persons within this Commonwealth, has, or have, been concerned in counterfeiting the continental bills of credit, the treasury notes of this Commonwealth, or the currencies of the United States, or in passing any counterfeit bills or notes, knowing them to be such, that the Governor be empowered, with the advice of the Council, to send for such person, or persons, to be examined in any county court they shall think proper.

2. *Resolved*, that it is the opinion of this committee, That the Governor be empowered, with the advice of the Council, to draw his warrants on the treasury, for any sums they shall think necessary to expend in rewards for apprehending and bringing to justice any such person or persons.

GOV. HENRY TO THE SPEAKER OF THE HOUSE OF DELEGATES, BENJAMIN HARRISON.

*(From Virginia State Archives.)*Wms^rburg Nov^r 13th 1778.

Sir: Perhaps there is no Crime which threatens the Commonwealth with greater Calamity, than that of Counterfeiting the paper Money; most of the Attempts to check this Evil have failed, by reason of the extensive & dangerous Combinations formed by those who carry it on. The Effects of these associations appear in the Rescue of some notorious offenders who have been seized from time to time, & in the actual Murder of one man who had given Information against the Counterfeiters. Many who have been active in the apprehension of these offenders have suffered great Losses in their property, by way of Revenge from them, others have been beaten wounded shot at, and live in continual Fear for their Lives and property. These Enormities call for vigorous Interposition, but I submit it, whether some special provision of the Legislature is not absolutely necessary to cut off from Society the acknowledged Leaders of these dangerous men. Several papers & Informations on the Subject accompany this, which I beg the favor of you to lay before the general Assembly. I am with great respect,

Yo^r very hble Servant

P. HENRY.

The Hon^{bl} Benjamin Harrison Esq^r,
Speaker of the House of Delegates.

(From Journals of the House of Delegates.)

November 14, 1778.

Resolved, That the Governor be requested to order by the first opportunity, as much baize from the public store, as will make waist-coats, to be sent for the Virginia non-commissioned officers and soldiers in the continental army, and delivered to them gratis, and also such worsted or woolen milled caps, as may be in the said store, and one thousand blankets.

GOV. HENRY TO THE VIRGINIA DELEGATES IN CONGRESS.

*(Cont. Congress Papers, Va. State Papers, 71, vol. 1.)*W^msburg Nov^r 14th 1778*Gentlemen,*

The Executive power of this State having been impressed with a strong apprehension of incursions on their Frontier Settlements from the Savages situated about the Illinois & supposing the Danger would be greatly obviated by an enterprize against the English Forts & possessions in that Country which were well known to inspire the Savages

with their bloody purposes against us, sent a Detachment of Militia consisting of one hundred & Seventy or eighty men commanded by Col. George Rogers Clarke on that Service- sometime last Spring. By Despatches which I have just received from Col. Clarke it appears that his Success has equalled the most sanguine expectations. He has not only reduced Fort Chartres & its dependencies but has struck such a Terror into the Indian Tribes between that settlement & the Lakes that no less than five of them viz. the Puans, Sacks, Renards, Powtowantanies & Mamies who had received the Hatchet from the English Emissaries have submitted to our Arms [blank in Ms.] all their English presents & bound themselves by Treaties and promises to be peaceable in future.

The Great Blackbird a Choppowaw chief has also sent a Belt of peace to Col. Clarke influenced he supposes by the Dread of Detroit's being reduced by the American Arms. This latter place according to Col. Clarke's representation is at present defended by so inconsiderable a Garrison & so scantily furnished with provisions for which they must be still more distressed by the loss of supplies from the Illinois, that it might be reduced by any Number of Men above five hundred- The Governor of that place M^r Hamilton was exerting himself to engage the Savages to assist him in retaking the places that had fallen into our Hands, but the favourable impressions made on the Indians in general in that Quarter the influence of the French on them & the reinforcement of their Militia Col. Clarke expected flattered him that there was little danger to be apprehended.- Included in the Despatches is a Letter from Captⁿ Helm who commands a party posted by Col. Clarke at S^t Vincents. According to this information The Wabash & Upper Indians consisting of the Peankeshaws Tawaws Peorias Delawares Pekakishaws Marketans & some of the Shawanese Chiefs had also given up all their tokens of attachment to our Enemies & pledged their fidelity to the united States. Captⁿ Helm adds that he was on the point of setting out with the assistance of part of the Chiefs with a View to retake a quantity of Merchandise seized by the English from Detroit, belonging to the people at S^t Vincents & on its way to them. The Captain speaks with Confidence of Success in this enterprise & extends his hopes even to the destruction of Detroit if joined on his way by the expected number of Indians & Volunteers.- My reason for troubling Congress with these particulars is, that they may avail themselves of the Light they throw on the State of things in the Western Country. If the party under Col. Clarke can cooperate in any respect with the Measures Congress are pursuing or have in view I shall with pleasure give him the necessary Orders.- In order to improve & secure the advantages gained by Col. Clarke I propose to support him with a reinforcement of Militia. But this will depend on the pleasure of the Assembly to whose consideration the measure is submitted.-

The french Inhabitants have manifested great Zeal & Attachment to our Cause & insist on Garrisons remaining with them under Col^o Clarke. This I am induced to agree to, because the Safety of our own Frontiers, as well as that of these people demands a compliance with the Request. Were it possible to secure the S^t Lawrence & prevent the

English Attempts, up that River by seizing some post on it, peace with the Indians would seem to me to be secured.

With great Regard I have the Honor to be
Gent^a

your most obedient Servant

P. HENRY

P. S. Great Inconveniences are felt here for want of Letters of Marque-
honble Virg^a Delegates
[Indorsed:]

Letter from gov^r Henry
of Virginia Nov^r 14 1778
Read 27

(From Journal of the Council.)

Monday November 16th 1778

The Board advised his Excellency to send the Dispatches which he had received from Colonel George Rogers Clarke, to the Honourable Assembly; also.

They advised his Excellency to send the Virginia Delegates in Congress giving them an account of Colonel Clarkes Expedition & the Success of our Arms in the Western Country; His Excellency having prepared a Letter to Benjamin Harrison Esq^r Speaker of the House of Delegates, & another to the Virginia Delegates in Congress upon the above Subject- the same was read approved of & ordered to be recorded. (vide Letter Book).

(From Journal of the House of Delegates.)

Monday November 16

The Speaker laid before the House a letter from the Governor, enclosing several letters from George Rogers Clarke, and Leonard Helm, Esquires, respecting their expedition to the Illinois.³³⁸

(From Journal of the Council.)

Thursday November 19th 1778.

In Conformity to an Act of the General Assembly for supplying the Inhabitants of this Commonwealth with Salt, The Governor with the advice of the Council, issued his Proclamation prohibiting all Persons whatsoever during the Term of four Months from the date hereof from exporting from this State by Land or by Water or transporting to either of the Counties on the Eastern Shore from the other parts of the State any Salt imported previous to the 16th Day of the present Month, under pain of incurring the forfeitures by the said Act inflicted, & requiring all Justices of the Peace, Naval & other Officers in their respective Departments to exert themselves in inforcing this Embargo according to Law.

³³⁸For resolution of thanks to Col. Clark, see House Journal for November 23, 1778.

THE PRIVY COUNCIL TO THOMAS SMITH, STATE AGENT.

*(Thomas Smith Papers (1778) Virginia State Archives.)*In Council Nov^r 19th 1778.

The Board taking under their Consideration the Willingness Activity & diligence of Captⁿ Thomas Lilley in getting off the Brig Liberty which run aground last Winter, & saving the principal part of her Cargo by which the Commonwealth was greatly benefitted, & also considering the losses he sustained whilst at Hampton upon this Business- They do advise the Governor to direct the Agent for Trade to pay Captⁿ Lilley fifty pounds as an encouragement for his Zeal shown on this occasion for the State & as a Compensation for his Losses.

A Copy

ARCH'D BLAIR C. C.

*(From Journal of the Council.)*Friday November 20th 1778.

The Board having had under their Mature Deliberation Information given them, that General McIntosh has very lately made a demand for two hundred men from each of the Counties of Washington, Montgomery, Botetourt, Green Brier, & Rockbridge to join him on his Expedition against the Indians; & that they are ordered to march immediately to the Delaware Towns; and considering the impracticability of marching the Troops at this inclement Season thro a Country destitute of Supplies; & that the want of Tents, Kettles, Provisions &, indeed, every Necessary for such an undertaking, would inevitably render a Compliance with the Generals Request impossible- They (tho' it was with reluctance they interfere) advised the Governor to counteract the generals Orders to the Lieutenants of y^e aforementioned Counties, for two hundred Men from each to join him. Which his Excellency did accordingly.

GOV. HENRY TO THE COUNTY LIEUTENANT OF MONTGOMERY.

*(From Virginia State Archives.)*W^m^sburg Nov^r 20th 1778

Sir,

I have been given to understand that General McIntosh very lately demanded two hundred men from your County to join him on his Expedition against the Indians, & that they are ordered to march immediately to the Delaware Towns. This matter has been maturely considered in full Council: and the Result is, that I am advised to countermand the Generals Orders, which I do hereby countermand. I need not tell you that it is with great Reluctance the Executive have interfered in this Affair. But the Impracticability of marching the Troops in this inclement Season, thro' a Country destitute of Supplies: The

Want of Tents, Kettles, Provisions, & I may add of every Necessary for such an undertaking render a Compliance with the Generals Request absolutely impossible.

I am

Sir

Y^r mo. Hble Serv^t

P. HENRY.

C^t^y Lieutenant of
Montgomery

(From Journal of the Council.)

Monday November 23. 1778.

Congress having requested, by a Resolution bearing date the 10th Instant, that the Governor would direct such of the Armed Gallies of this State as may be fit for the Service, to be fitted out with all possible dispatch in order to join some Vessels to be furnished from other States in an expedition against East Florida, the said Gallies to be at the expence & risque of the United States; And his Excellency having laid the said resolution before the Board & asked their Advice thereon. Whereupon they advised his Excellency, to request the Commissioners of the Navy Board to give directions for the Dragon & Tartar Ship of war (there being no Gallies fit for the Service) to be got in readiness for the Expedition aforesaid.

His Excellency then asked the advice of the Board upon a Resolution of Congress of the 11th Instant, desiring him to give permission to two Vessels, one called the Gentille, George Andre Master, the other the Adventurer, Joseph Tassis, Master, both now in the Port of Petersburg, to depart this Commonwealth with their Cargoes consisting in the whole of between 12 & 1300 barrels of Flour & about 150 barrels of Bread; The Honourable S^t Gerard Minister Plenipotentiary having purchased the same for account of his most Christian Majesty- Whereupon The Board advised his Excellency to grant permits to the two Vessels accordingly; and that he inform Congress of the steps which have been taken with respect to their requisitions. And his Excellency did accordingly.

GOV. HENRY TO GOV. CASWELL, OF NORTH CAROLINA.³³⁹

(From "State Records of N. C.," Vol. XIII, p. 296.)

Williamsburg, Novr. 23d, 1778.

Sir:

Congress have desired that this State will furnish Galleys to attack East Florida, without loss of time.³⁴⁰ Those which we have here are by no means fit to go, except the Dragon and Tartar. I am therefore prompted by the great desire which the Council and myself feel to execute the designs of Congress, to wish that the Caswell might be sent with them on this expedition, for I suppose from the particular construc-

³³⁹(For reply of Gov. Caswell, see "N. C. Records," Vol. X, p. 309)

³⁴⁰On November 10 Congress had *Resolved*, That the President be directed to inform his excellency the president of the state of South Carolina, that Congress, by their resolution of the 2d instant, have directed Major General Lincoln to attempt the reduction of East Florida, in case the enemy should not make an attack on the states of South Carolina and Georgia.

That the President be directed to inform their excellencies the gover-

tion of that vessel, and the nature of the service, that she would be of great use on this occasion. From your well known zeal for the public good, I entertain no doubt that every thing tending to promote it will meet with your ready concurrence. If you approve of sending the Caswell on this expedition, and think her place can be supplied by one of our Gallies, I will immediately order one of our best to her station.

I shall thank you for an aswer by the Bearer, whom I charge with Despatches to you, from the President of Congress. I am Sir,

Your mo. huml. Servt.

P. HENRY

GOV. HENRY TO THE PRESIDENT OF CONGRESS, HENRY LAURENS.

(From W. W. Henry's "*Henry*," III, 203.)

W^msburgh Nov^r 23^d 1778.

Sir:

I am Honoured with the Receipt of your Favour of the 14th instant covering two acts of Congress, viz, one of the 10th instant for obtaining from this State & Maryland, Gallies to attack East Florida, another of the 11th for requesting permission to export from Petersburg in Virginia a Quantity of Flour and Bread for the use of his most Christian Majesty.

No Time has been lost in giving Efficacy & Despatch to both these Measures. Orders are issued at the Naval office to permit the Exportation of the Flour and Bread as requested. I only wish that the French gentlemen might be informed, that the quality of our Flour this Year is by no means equal to what it is in Common Harvests, owing to the Weavel & other Accidents.

In the Deliberation which was had on the subject of furnishing the requisite aid to attack Florida, the Council, with myself, ever anxious to forward the views of Congress, were not a little embarrassed. We have two vessels called Ship Gallies, drawing eight or nine feet water, carrying about eighteen 3 or 4 pounders, & one of them formed to use two heavy Guns in the Bow in still water with men & about Six smaller Gallies, calculated for service in the Bay or rivers. The latter it is thought cannot without great danger of Sinking be sent to Sea- The former are therefore pitched upon to go on the service required, if

nours of the states of Maryland and Virginia, that Congress deem it of high importance to the welfare of the United States, that every exertion should be made, during the course of the winter, to reduce the province of East Florida.

That from the best information they have received, this cannot probably be effected but by a blockade by water; and therefore that it be requested of the said governments to direct such of their armed galleys as are not fit for this service to be fitted out with all possible despatch, and to proceed either in company, or otherwise, as the governours of the states of Maryland and Virginia shall deem most expedient to Charlestown in South Carolina; there to follow such orders as they shall receive from the commander in chief of the department, or from the officer appointed by Congress to command the galleys of the respective states employed on this expedition.—*"Journals of the Continental Congress,"* Vol. XI, p. 1116, *et seq.*

Congress think them fit. In the meantime Orders are given for them to be got in readiness which I'm informed may be in three weeks; and they will proceed to Charlestown unless they are countermanded by Congress.

Besides these two vessels there is the Ship Caswell belonging to this State stationed in North Carolina to protect the Trade. She carries about Guns, 12, 9 and 6 pounders, and 135 men, & draws about 5 feet water. I write to-day to Governor Caswell to know if she can be spared and if possible to get her added to the other two above described, for the expedition. When Congress were pleased to call for vessels fitted for this particular service, their designs might have been answered if the service had been explained. Not being favor'd with any such explanation I have been obliged to proceed with uncertainty.

When General McIntosh was directed to begin his operations on the frontiers against the Indians, I gave orders to fourteen Counties beyond the Mountains to furnish him with any number of militia he should call for. His Requisitions were sent to such of them as he chose long since. The number of Men sent to him, I know not, But a few Days ago three County Lieutenants appeared before the Council Board & informed, that their Counties & two others adjacent, were called upon by the General to send him 1,000 men immediately. These Gentlemen Easily convinced the Executive that it was impossible to comply with this Demand, because it would be the 20th of December before the men could be assembled at some rendezvous to begin the march, & that no Tents, Kettles, Horses, provisions or Necessaries were to be had for the service, and because many of the Troops would have 400 miles to proceed thro' a Country chiefly Desert, & utterly unfurnished with those things which are essential to the support of human life at that inclement season when the snows are several Feet Deep on the great Ridges of Mountains, many of which lay in their Route. Knowing therefore the utter impossibility of the measure, the Council unanimously concurred with me in judging it necessary to countermand General McIntosh's orders, & I have accordingly done so. The General shall be apprized of it as soon as possible, and will take his measures accordingly.

I did myself the Honor to inform you by Letter, which I doubt from yours has not reached your hands, of several matters respecting the marching of the militia from this State to Charles Town as was requested by Congress. When the requisition arrived here the Assembly were sitting. It became necessary to lay the matter before them as the Law gave the Power of marching the militia to a Sister State only in cases of actual invasion. An act was thereupon passed to enable the Executive to send out the Militia when *certain Intelligence of an intended Invasion* should be received. Just in that instant, when Orders were going to be sent to put the men in motion for Charles Town, a letter from Governor Johnston arrived, by which it was apparent that the Enemy had no designs on that place but it is said meditated a Descent on the Eastern Shore. Upon this the Council thought with me it was proper to suspend the matter, & it has remained in that Suspense 'till the present time.

I send enclosed a List of Sundry Acts of Congress received since

September last, most or all of which I thought I had acknowledged the Receipt of by particular addresses which I had the honor of sending you.

The variety of Matter which the present occasion calls on me to mention, will, I hope, plead my Excuse for the length of this letter.

I beg to be presented to Congress in the most acceptable manner, & in Terms expressive of the High Regard with which I have the Honor, sir, to be,

Y^r mo. obed^t & very hble serv^t,

P. HENRY.

The Hon, PRESIDENT OF CONGRESS.

P. S. I am looking out for a Messenger to carry your Despatches to Gov^r Caswell.

(From Journal of the Council.)

Tuesday November 24th 1778.

His Excellency having laid before the Board a Letter which he had prepared to the President of Congress in conformity to their advice yesterday on the Subject of fitting out Vessels for the intended Expedition against East Florida. Also a Letter which he had written to Governor Caswell desiring his concurrence for the Ship Caswell to be sent on the said Expedition. Also a Letter which he had written to general McIntosh informing him of his having countermanded the Orders given by him to several County Lieutenants for furnishing a Number of Militia to join him in his Expedition against the Indians. Which several Letters were read, approved of & ordered to be recorded.

GOV. HENRY TO THE SPEAKER OF THE HOUSE OF DELEGATES, BENJAMIN HARRISON.

(From Virginia State Archives.)

Nov^r 27th 1778

Sir

The unsettled state of the boundary Line between this Commonwealth³⁴¹ & Pennsylvania is likely to prove the Source of much mischief. Consequences of the most alarming nature seem likely to follow if the Legislature do not interpose, the Executive not being competent to the Business.

The papers I send herewith relate to this Subject which is become so interesting, and I beg you will please to lay them before the General Assembly.

I have the Honor to be,

Sir, Yr. most Hble Serv^t.

P. HENRY.

The Honble Speaker of the House of Delegates.

³⁴¹In the House Journal of December 9 it was

1. *Resolved*, that it is the opinion of this committee, That a select committee be appointed to consider of, and return an answer to the last proposals made to this Assembly, by the Assembly of Pennsylvania, and to adjust and propose some temporary boundary, to be established and continued, until the true and proper boundaries between the two States, can be finally ascertained and settled.

2. *Resolved*, that it is the opinion of this committee, That the Governor

(*From Journal of the House of Delegates.*)

Friday, November 27, 1778.

The Speaker laid before the House two letters from the Governor, enclosing several papers for the consideration of the House.³⁴²

(*From Journal of the Council.*)

Friday November 27th 1778.

The Governor having communicated to the Board a Letter, which he had received from Colonel Muter, giving an Account that a British Ship of War (the Swift) in chase of the Rattle Snake Privateer,³⁴³ ran aground near Cape Henry, & that the Crew to the Number of 91 had surrendered themselves Prisoners of War to Colonel Thomas Reynolds Walker,³⁴⁴ of Princess Anne, And asking the Advice of the Board what was best to be done with the said prisoners. They advised his Excellency to order Colonel Muter to send the Officers to this Place by Water, & the rest of the Crew, under a strong guard of Norfolk Militia, to Surry County, from thence to be conveyed by a Guard of that Militia to Cumberland Courthouse now in Powhatan County there to remain as Prisoners of War 'til further Orders. They also advised his Excellency to issue his Warrant upon the Treasurer for one hundred & fifty Pounds payable to Lieutenant John Lightfoot & to be conveyed by him to Colonel Muter for defraying the Expenses of the aforementioned Prisoners, on their March to Powhatan.

Saturday November 28th 1778

It being represented to the Board by the County Lieutenant of Berkeley that General McIntosh had made a requisition for one hundred Men from that County, whilst nearly three hundred of the said County were in Service under him; And it appearing from the Information of the County Lieutenant of Frederick that no Men have been sent from his Militia altho' 200 had been required by General McIntosh. The

be directed to give instructions to the several officers of this Commonwealth, civil and military, that in the mean time they do not pretend to exercise any jurisdiction over any inhabitants within the said disputed territory, excepting those only who profess themselves to be citizens of this Commonwealth, and to advise proper measures for ascertaining the persons by their own signatures, or other evidence, who profess themselves to be citizens of this Commonwealth.

3. *Resolved*, that it is the opinion of this committee, That the Governor be empowered, with the advice of the Council of State, to take such measures as may be necessary, and shall seem profitable, for obtaining a loan of gold and silver to this Commonwealth to such extent as they shall think expedient, and on an interest not exceeding five per centum per annum; and that this Assembly will make good his contracts for that purpose.

³⁴²A letter from the Governor of Massachusetts on the subject of persons inimical to the United States is among the Executive Papers, Virginia State Archives.

³⁴³The "Rattlesnake", Capt. Stephen Seymour, was protecting the port of Charleston in 1776.—"Journal of the South Carolina Navy Board."

³⁴⁴Thomas Reynolds Walker, colonel Virginia Militia (1776-1779).

Board advised his Excellency to countermand the orders to the County Lieutenant of Berkeley for a hundred Men, & to direct the County Lieutenant of Frederick immediately to furnish the two hundred Men required from his Militia by the general. And his Excellency was further advised to give Notice of these Orders to General McIntosh.

The Board taking under their further Consideration a Letter from the President of Congress, which his Excellency the Governor laid before them, respecting the desire of Congress that one thousand Militia should march without delay to the Assistance of South Carolina, but considering the impossibility of furnishing such Militia with sufficient Tents Kettles &c. without which it is almost impracticable for them to march at this inclement Season of the year They therefore advised the Governor not to carry into Immediate Execution the advice of the Eleventh Instant for marching a thousand Militia from such Counties as he thought convenient, but to give the Lieutenants of such Counties Orders to hold such Proportion of their Militia in readiness, as he may direct, to march to such place of rendezvous as may by him be hereafter appointed in order that no possible Delay may happen in case it may be thought absolutely necessary at any time hence to Order the said Militia to march to South Carolina notwithstanding the present Inconvenience that may seem to attend such a Measure- And the Governor was further advised to write to Congress informing them of this Measure & to desire further information from them respecting this Business as soon as possible. And his Excellency gave Orders to the County Lieutenant & wrote to Congress accordingly (vide them, recorded in the Letter Book).

GOV. HENRY TO JOHN JAY, PRESIDENT OF CONGRESS.

(*Cont. Congress Papers, Va. State Papers, 71, vol. 1.*)

W^msb^urg Nov^r 28th 1778-

Sir,

Your favor of the 16th inst^d is come to hand together with the Acts of Congress of the 26th of August for establishing provision for Soldiers & Seamen maimed or disabl'd in the public Service- of the 26th September for organizing the Treasury, a proclamation for a General Thanksgiving, & three Copies of the Alliance between his most Christian Majesty & these united States-

I lost no time in laying your Letter before the privy Council & in deliberating with them on the Subject of sending 1,000 Militia to Charles Town S^o Carolina. I beg leave to assure Congress of the great Zeal of every Member of the Executive here, to give full efficacy to their Designs on every occasion. But on the present, I am very sorry to Observe, that Obstacles great & I fear unsurmountable, are opposed to the immediate March of the Men. Upon Requisition to the Deputy Quarter Master General in this Department, for Tents, Kettles, Blankets & Waggons, He informs they cannot be had. The Season when the March must begin, will be severe & inclement, & without the fore-mentioned Necessaries impracticable to Men indifferently Clad & equipped as they are in the present general scarcity of Clothes.

The Council as well as myself are not a little perplexed, on comparing this Requisition to defend South Carolina & Georgia from the Assaults of the Enemy with that made a few Days past for Gallies to conquer East Florida. The Gallies have orders to rendezvous at Charles Town, which I was taught to consider as a place of acknowledged Safety; and I beg leave to observe that there seems some Degree of Inconsistency in marching Militia such a Distance in the Depth of Winter under the Want of Necessaries to defend a place which the former Measure seemed to declare safe.-

The Act of Assembly whereby it is made lawful to order their march confines the Operations to Measures merely Defensive to a Sister State & of whose Danger there is certain Information rec^d

However as Congress have not been pleased to explain the Matters herein alluded to, & Altho a good deal of perplexity remains with me on the Subject, I have by advice of the privy Council given Orders for 1,000 Men to be instantly got into readiness to march to Charles Town, and they will march as soon as they are furnished with Tents, Kettles and Waggons. In the mean Time if Intelligence is received, that their March is essential to the preservation of either the States of S^c Carolina or Georgia, the men will encounter every difficulty & have Orders to proceed in the best way they can without waiting to be equipped with those Necessaries commonly afforded to Troops even on a Summers march

I have to beg that Congress will please to remember the State of Embarrassment in which I must necessarily remain with Respect to the ordering Gallies to Charles Town in their way to invade Florida, while the Militia are getting ready to defend the States bordering on it, & that they will please to favor me with the earliest Intelligence of every Circumstance that is to influence the Measure either offensive or Defensive.-

I have the Honor to be

Sir

Y^r mo. obed^t & very
Hble Servant-

P. HENRY

P. S. The Despatches to Gov^r Caswell are sent by a safe hand
[Indorsed:]

Nov. 28th 1778

Letter from His exc^v gov^r

Henry of Virginia

Nov^r 28. 1778

Read Dec^r 8. 1778

Referred to Marine Com^o

GOV. HENRY TO COL. ARCHIBALD LOCHREY.

*(From W. W. Henry's "Henry," III, 206.)*W^ms^burgh Nov. 28th 1778.

Sir: I rec^d your Letter & the copys of Depo^s accompanying it, by Mr. Rice; But as no person's name is signed to the Letter, I am left to conjecture after the Author of it. Mr. Rice tells me you are the Author. I should have taken no notice of such an Epistle had it not been on such a subject as that of yours. Yesterday I laid the contents of all the papers you sent me before the general assembly that is now sitting here. And I have hopes that they will take some step, for restoring peace & Harmony to the unhappy people who live in the disputed Territory. When they do, I shall lose no Time in doing what shall be my part in the Business. In the mean Time I recommend to you, to use all your Influence, to exert all your power & authority, to preserve peace between your people and the Virginians. Do every thing, suffer every thing, to attain this good End. Consider we have Enemys enough of the British & the Indians, without making Enemys of our own Brethren. For our People are Brethren, notwithstanding their little Feuds & Differences. We aim at the same thing. I verily believe, that if the Enemy make another Campaign, our differences will be the only thing that encourages them to do it. We will disappoint them and be friends.

I write to Col^o Stephenson^{344½} on the subject, and to several others. My desire, my earnest wish, is peace with our brethren. Let them not build too much on that, and be induced to behave amiss, but let them bear with their unlucky situation a little longer, and justice will be done. Communicate this very letter to your people whom I greet, and am sir,

Y^r H[']ble servant,

P. HENRY.

Col. Arch^d Loughtey,³⁴⁵ [County lieutenant]
Westmoreland County, Pennsylvania.

*(From Journal of the Council.)*Monday November 30th 1778.

The Board having been informed that Richard Harrison Esquire who was Agent for this State at Martinico, hath resigned; and John Cox esquire, being about to reside at that Island & being recommended as a fit Person to succeed M^r Harrison They advised the Governor to

^{344½}Maj. John Stephenson, half brother of Col. William Crawford, had served in the French and Indian War. In 1774 he had commanded a company under Lord Dunmore, and he had actively supported the Virginia side in the contention with Pennsylvania. In the Southern campaign he served with Muhlenberg until disabled. In 1778 Stevenson took part in Col. Hand's campaign, and in 1778-1779 in that of McIntosh.

³⁴⁵Properly "Lochrey", colonel Pennsylvania Rangers, killed by Indians on the Miami, August 24, 1781. He was a brother of William Lochrey.

appoint M^r Cox Agent or Attorney at Martinico and Guardalupe for this State, in the room of the said M^r Harrison, & to grant him a Commission, as Agent, under his Hand & the Seal of the Commonwealth. Which his Excellency did accordingly.

The Governor, with the advice of the Council this day appointed Commissioners in the several Counties of this State, to execute an Act of Assembly intituled 'An Act to supply the Inhabitants of this Commonwealth with Salt upon reasonable terms.' (Vide Letter filed)

Friday December 4th 1778.

The Governor having received Information on Oath that Benjamin Woodward, Jesse Woodward, Thomas Woodward, Sterling Turner, Edward Walker, Ambrose Gresham & John Edmonson of Dinwiddie; Drury Burge & John Bonds & James Ball jun^r Of Prince George; Lewellin Williamson, Ephraim Peebles, Churchill Anderson, & Sterling Harris of Brunswick; Joseph Smith of Prince Edward; Henry Wright of Cumberland; John & Joseph Hightower & Jacob Chavis of Lunenburg; & Samuel Morgan Benjamin Alfriend & Francis Woodward Amelia, have been guilty of certain Offences described in an Act of General Assembly intituled "An Act for more effectually guarding against counterfeiting of the Bills of Credit, Treasury Notes or Loan Office Certificates", And asking the Advice of the Board with respect to the Mode of apprehending the aforesaid Offenders. They advised his Excellency to issue Warrants for seizing & bringing to the Public Jail all and every one of the accused Persons aforesaid in order that they may be dealt with according to Law- And they also advised that a Reward of four thousand Dollars is offered for Benjamin Woodward, one thousand for Sterling Turner, and three hundred & fifty for apprehending each of the other offenders; and that four Dollars a Day be allowed each of the Persons employed as Guards, besides their Pay as Militia Men; Also that a reasonable allowance be made them for their expences in this business, & to enable them to return home after they shall have delivered the Offenders to the Keeper of the Public Jail.

GOV. HENRY TO THE VIRGINIA DELEGATES IN
CONGRESS.³⁴⁶

(From W. W. Henry's "Henry," III, 207.)

Wmsburg, December 4th 1778.

Gentlemen: The great distress our Trade has of late and does at present suffer, from the Ships and Privateers of the Enemy which infest our Coast, has given the Executive power inexpressible uneasiness A great number of captures have been made, not only of Vessels belonging to this State, but of those belonging to our Allies and the other states. And as the long nights and windy season, during which it is well known European Merchantmen embarking in the American trade

³⁴⁶This letter was read in Congress on December 15, and referred to the Marine Committee.

adventure with most confidence, have now taken place, it may be expected the vigilance of the Enemy and consequently our losses will daily increase. The departure of the French fleet from the American Coasts is another circumstance that will embolden them in their depredations, and enable them to shut up our ports, with a force so inconsiderable as to be easily spared from other services. In this situation of things, having no armed vessels of our own of sufficient strength to oppose even Privateers, except two which have been found on trial too slow to be of use against them, & which are besides soon to be sent against East Florida on the requisition of Congress, the Council have advised me to request your application to Congress for some naval assistance from them. As I am a total stranger to the Naval affairs of the Continent, it is impossible for me to determine what degree of aid can be afforded, or ought to be asked. A single Frigate, or even a single ship of less force, would render very essential service. But unless the Continental ships are engaged in some very critical enterprize, I cannot help suggesting, that the duty owing to our Allies who trade Chiefly into Chesapeake Bay, & the interest Maryland & Pennsylvania, and in some degree North Carolina, as well as Virginia, have in the protection of Trade through that Channel, evidently claim all the assistance congress can possibly give us. Certain it is, that on no other station within the United States the remains of their fleet can be of such extensive benefit, or so easily & plentifully supplied with provisions; or if their destination be to distress the Trade of the Enemy, it may with the greatest probability be presumed, they would on our Coast save from the depredations of the Enemy ten vessels for one that would be captured by offensive Cruisers, not to mention the security of the former and the danger of the latter services. I have only to add that it is the earnest wish of the Council, as well as myself, that this measure may be pressed on Congress in the most urgent terms.

I am,

Gent^m with great respect,

Yr. most obdt & hble Servant,

P. HENRY.

The Hon. Delegates in Congress from Virginia.

(From Journal of the Council.)

Monday December 7th 1778

Captain De Jambocau having represented his Misfortune of being taken by a British Privatier on his Passage from France to America; & deprived of his Effects & Letters of recommendation; And praying to be supplied with the means of getting to Philadelphia- The Board advised his Excellency to direct the Commissary of Stores to advance him fifty Pounds taking his Bond to repay the same; & the Governor ordered accordingly.

(From Journal of the House of Delegates.)

Tuesday, December 8, 1778.

Resolved, That the Governor with the advice of the Council, be empowered to instruct the board of commissioners, from time to time, to have such material alterations made in, and arrangement of the Navy as may be expedient and necessary.

GOV. HENRY TO THE SPEAKER OF THE HOUSE OF DELEGATES, BENJAMIN HARRISON.

(From Va. State Archives, Ex. Com.)

Dec^r 11th, 1778.

Sundry Resolutions of Congress, together with a Letter from the Board of War to me respecting the Saratoga Troops, are sent herewith, & never reached my Hands 'til last night.

I trouble the general Assembly upon the Subject, because it is apprehended, that a Difficulty will arise under the present Law, in compelling the Militia to do the Duty required by Congress in guarding the prisoners. It may not be amiss to observe also that oftentimes it is necessary to call upon Militia to guard Magazines & do other Duty of that Nature, which in some Instances they have refused to do, alledging the Law did not oblige them to perform it.

I have the Honor to be

Sir

Your most obedient Servant

P. HENRY

The Hon^{ble}

Benjamin Harrison Esquire,
Speaker of the House of Delegates

(From Journal of the House of Delegates.)

Friday, December 11.

The Speaker laid before the House a letter from the Governor, enclosing several resolutions respecting the Saratoga prisoners of war, and a letter from the secretary of the war office, upon the same subject . . . ordered to be referred to a committee of the whole House.

Monday, December 14.

Resolved, therefore, That the Governor be requested to despatch an express immediately to the honorable the president of Congress, and the board of war, inclosing them a copy of the proceedings of the Assembly therein, and informing them of the difficulties attending the guarding of the said prisoners with draughts from the militia, and the danger of an escape from such guard, and to request Congress will order a sufficient corps of continental troops for that purpose, and to inform

them that in the mean time every step will be taken to secure the prisoners till the arrival of such troops, which is to be as soon as possible.

Resolved, That the Governor, with the advice of the Council, be empowered to call out any number of militia of this Commonwealth, not exceeding six hundred, to guard the said prisoners; and that the said guard be relieved from time to time, as he with the advice aforesaid shall see cause, by other draughts from the militia, until such continental troops shall arrive.

GOV. HENRY TO GEORGE ROGERS CLARK.

(From Journal of the Council.)

Dec. 12, 1778

You are to retain the Command of the Troops now at the several Posts in the Country of Illinois and on the Wabash which fall within the Limits of the County now erected & called Illinois County which troops marched out with & have been embodied by you. You are also to take the Command of five other Companies raised under the Act of Assembly which I send herewith, & which if completed as I hope they will speedily, will have orders to join you without Loss of Time & are likewise to be under your command; With your whole force you are to protect the Inhabitants of the Country & as occasions may serve, annoy the Enemy.

It is thought that the Indian Nation may be overawed & inclined to peace with us by the Adoption of proper Measures with you. Or if that cannot be effected, that such of them as send out Parties towards our Frontiers on this side of Ohio, may be chastized by Detachments from your Quarter. For this Purpose it will behove you to watch their Motions, and to consider, that one great Advantage expected from your Situation is to prevent the Indians from warring on this side of Ohio.

In order more effectually to prevent this, you are to establish such Posts in different parts of the Country as you judge best for your Troops to occupy.

I consider your further Successes as depending upon the goodwill & friendship of the Frenchmen & Indians who inhabit your Part of the Commonwealth. With their concurrence great Things may be accomplished. But their Animosity will spoil the fair Prospect which your past Successes have opened. You will therefore spare no Pains to conciliate the Affections of the French & Indians. Let them see & feel the Advantages of being fellow Citizens & freemen. Guard most carefully against every Infringement of their Property, particularly with respect to Land, as our Enemies have alarmed them as to that. Strict & even severe Discipline with your Soldiers may be essential to preserve from Injury those whom they were sent to protect & conciliate. This is a great & capital Matter, & I confide that you will never lose sight of it or suffer your Troops to injure any Person without feeling the Punishment due to the offence. The Honor & Interest of the State are deeply concerned in this & the attachment of the French & Indians depends upon a due observance of it.

John Todd Esquire being appointed County Lieutenant according to Law during pleasure, with ample Powers chiefly confined to the Civil Department, will have Directions to act in concert with you wherever it

can be done. On your Part, you will omit no Opportunity to give him the necessary Cooperation of the Troops where the Case necessarily requires it. Much will depend upon the mutual Assistances you may occasionally afford each other in your respective Departments, & I trust that a sincere Cordiality will subsist between you. The contrary will prove highly detrimental.

Some Measures will be fallen on for carrying on a Trade to supply Goods for the Inhabitants of your County. You will afford the Agents such Aid or Protection from Time to Time as affairs require & your Circumstances will permit.

I send you herewith some Copies of the Act of Government & Bill of Rights, together with the French Alliance. These will serve to shew our new friends, the Ground upon which they are to stand & the Support to be expected from their Countrymen of France. Equal Liberty & Happiness are the Objects to a participation of which we invite them.

Upon a fair presumption that the people about Detroit have similar Inclinations with those at Illinois & Wabash, I think it possible, that they may be brought to expell their British Masters & become fellow Citizens of a free State. I recommend this to your Serious Consideration & to consult with some confidential Persons on the Subject. Perhaps M^r Gibault the Priest (to whom this Country owes many Thanks for his Zeal & Services) may promote this affair. But I refer it to you to select the proper persons to advise with & to act as Occasion offers. But you are to push at any favourable Occurences which Fortune may present to you. For our Peace & Safety are not secure while the Enemy are so near as Detroit.

I wish you to tesitify to all the Subjects of Spain upon every Occasion, the high Regard, & sincere Friendship of this Commonwealth towards them. And I hope it will soon be manifest that mutual Advantages will derive from the Neighbourhood of the Virginians & the Subjects of his Catholic Majesty.

I must observe to you, that your situation is critical. Far detached from the Body of your country, placed among French Spaniards & Indian Nations strangers to our people, anxiously watching your Actions & Behaviour, ready to receive Impressions favourable or not so, of our Commonwealth & its Government, which Impressions will be hard to remove, & will produce lasting good or ill Effects to your Country. These Considerations will make you cautious & Circumspect. I feel the Delicacy & difficulty of your Situation, but I doubt not your Virtue will accomplish the arduous Work with Honor to yourself and Advantage to the Commonwealth. The Advice & Assistance of discreet good men will be highly necessary. For at the Distance of your County, I cannot be consulted. General Discretionary Powers therefore are given you, to act for the best in all Cases where these instructions are silent, & the Law has made no provision.

I desire your particular attention to M^{rs} Rochiblare & her Children, & that you suffer them to want for nothing. Let M^r Rochblare's Property, which was taken be restored to his Lady so far as it can be done. You have the Sum of Sixty Pounds sent for her use, in case you can't find her husband's Effects to restore.

Prudence requires that Provisions be laid in to subsist the Troops you have & those to be expected to arrive with you. Colonel Bowman has contracted to deliver 35,000 lbs Bear Bacon at Kentucky. But Bread must be had at Illinois. You will provide it if possible before the arrival of the Troops, or the necessity to buy it becomes general known, as perhaps Advantages may be taken by raising the price. Lay up also a good Stock of Powder & Lead &c.

There is a Cargoe of Goods at a Spanish Post near you belonging either to the Continent or this State. Rather then let your Troops be naked, you are to take a Supply for them out of these Goods. But this is not to be done but in Case of absolute Necessity. Let an exact Account be kept of what is used & let me receive it.

In your Negotiations or Treatys with the Indians, you will be assisted by M^r Todd. Let the Treatys be confined to the Subject of Amity & Peace with our People, & not to touch the Subject of Lands. You may accept of any Services they offer, for Expelling the English from Detroit or elsewhere. In case you find Presents to the Savages necessary, make them sparingly as possible, letting them know our Stock of Goods is small at Present, but by means of our Trade with the french & other Nations, we expect plenty of Goods before it is long.

Lieutenant Colonel Montgomery will convey to you ten thousand pounds for payment of the Troops & for other Matters requiring Money. In the Distribution of the Money you will be careful to keep exact Accounts from time to time & take Security where it is proper.³⁴⁷

To. Col. Geo. Rogers Clark,

Commander in Chief of the Virginia Troops
in the County of Illinois.

³⁴⁷With these public instructions Governor Henry sent to Colonel Clark the following private letter and memoranda in reference to horses to be purchased for him:

(From "Illinois Historical Collections", Vol. VIII, p. 75.)

Wmsburgh Decr 12th 1778

Dear Sir.

I refer you to my public Letters for every thing I had to say on public Business. The Land Office is not open as yet, so that nothing could be done for you towards securing the Land you wanted. But as soon as there is an Opportunity I shall not forget you. In the mean Time I am very desirous to get two of the best Stallions that possibly be found at the Illinois. I hear the Horses are fine. I beg it as a particular Favor of you to get two of the best that that place, the Spanish Settlements or the Indians can furnish, I would not have you to value the cost of the Horses, or the Expence of sending them in. pray get the finest according to the within memo of the true Blood, & get good Men to bring them to New Castle Town in Hanover, & give them handsome Wages to secure their taking Pains to bring them safe, & have particular Care of the Horses, for I am vastly anxious to get the finest Horses of the true Spanish Blood, that is in all your Country or the adjacent. Perhaps you cannot get fine ones immediately; I wish you in that case to send any Distance to get the best & I will pay the Expence. be it what it will. The Spanish Comandant may perhaps assist you in getting them. please to apply to him, & if possible get me the Two Horses & send them as good opportunity by good men shall happen. I wish you also to get for me upon receipt of this Eight of the best Mares you can purchase. I don't desire you to be particular in their Blood so much as that of the Horses. I want the Spanish Blood, & the mares to be large as you

GOV. HENRY TO COL. JOHN TODD.

(From Journal of the Council.)

December 12, 1778

To John Todd, Esquire—

By Virtue of the Act of Assembly which establishes the County of Illinois, you are appointed County Lieutenant or Commandant there. And for the general Tenor of your Conduct I refer you to the Law.

The grand Objects which are disclosed to the View of your Countrymen will prove beneficial or otherwise according to the Virtue and Abilities of those who are called to direct the affairs of that remote Country. The present Crisis rendered so favourable from the good Disposition of the French & Indians may be improved to great purposes. But if unhappily it is lost, a Return of the same Attachments to us may never happen. Considering therefore that early prejudices are so hard to wear out, you will take care to cultivate and conciliate the affections of the French & Indians.

Altho great Reliance is placed in your prudence in managing the people you are to reside amongst, yet considering you as unacquainted in some degree with their Genius Usages & Customs, as well as the Geography of the Country, I recommend it to you to consult & advise with the most intelligent & upright persons who may fall in your way. You are to give particular attention to Colonel Clark & his Corps to whom the State has great obligations. You are to cooperate with him in any Military undertaking when necessary & give the utmost Aid to the Military which the circumstances of the people will admit of. The

can get, & not old. Don't loose a moment in agreeing for the Mares, 101 vast Numbers of people are about to go out after them from here, & will soon pick them all up & raise the price very high. I hear they are now cheap, & if they are risen, pray don't fail to buy them and send them to Colo Wm Christians, by some good men coming in. I shall send the money by Capt Montgomery, & you may give the People my Word they shall be paid when the Capt arrives.

I have no Doubt you can execute what I request without interfering with the public Business. I send herewith a Letter to the Spanish comandant which please deliver in person, & perhaps you can then ask about the Horses & get his Direction & assistance in procuring them. I know not how much Money to send, for I suppose Mares are risen in price, but purchase them & the balance if any I shall send as soon as I know how much it is. I should like very much to receive one of the Stallions time enough to cover next Spring. I beg you to try to accomplish it. Perhaps you may send both by that Time, but if you can't do that, let them be sent by the most carefull people as soon as they are procured. I expect the Mares immediately, because they need not be picked with the Care to be used in finding out the finest Horses.

Again pray purchase the Mares immediately upon receipt of this, & don't wait a moment for them, as you do for the Horses but buy the Mares immediately & send them by careful people. I shall depend upon them.

Heartily wishing you every [word missing]

I remain Dear Sir Yr mo. hble Servt

P. Henry

Colo Clark

[Addressed:] Colo George Rogers Clark at Illinois by Express Wm Myers.

Memo. I would Have the Horses & Mares Governor Henry Orders from the Illinois, & Countrys Adjacent as follows, Vizt.—Of the best & most

Inhabitants of Illinois must not expect settled peace & safety while their & our Enemies have footing at Detroit, & can interrupt or stop the Trade of Mississippi. If the English have not the Strength or Courage to come to war against us themselves, their practice has been & will be, to hire the Savages to commit murders and Depredations. Illinois must expect to pay in these a large price for her freedom, unless the English are expelled Detroit. The means of effecting this, will not perhaps be found in yours or Col^o Clarks power. But the French inhabiting the neighbourhood of that place it is presumed may be brought to see it done with Indifference or to join in the Deed with pleasure become the foremost Actors in it. This is but a Conjecture. When you are on the Spot you & Colonel Clark may see its fallacy or Reality. If the former appears, Defence only is to be the object. If the latter, or a good prospect of it, Let your frenchmen and Indians show a Zeal for the attack equal to the benefits to themselves & posterity which will derive from established Liberty & permanent peace.

One great Good expected from holding Illinois, is to overawe the Indians from waring on our Settlements on this side of Ohio. A Close attention to the Disposition Temper and Movements of the Hostile Tribes is therefore necessary for you. The Forces & Militia at Illinois by being placed behind them may inflict timely Chastizement on these Enemies whose Towns are an easy prey in the absence of their Warriors.

You perceive by these Hints, that something in the Military Line may be expected from you. So far as the occasion calls for the As-

pure Spanish Breed, Blood Bays, About 5 or 6 yrs Old, & that have Cover'd none, or, but few Mares, as large as possible, Fine Delicate Head, long Necks, Ears small & prick'd, & near at Ends, Deep Shoulders & Chest, large Arms, Well Legg'd, Upright pasterns, & as Clear of Long Hair as May be, in Moving to go near before, Bodys good, Loins Round, & Very Wide, between diff^t Turnings of the Hair, Out Hock'd, & Haunches to be as straight as possible & go Wide behind. If Stars or small Blazes, wth Either Hind foot white, so much the better.

The Outlines above, Will give some Feint Idea of a fine Horse, or Mare, But there is something so striking & inexpressibly *Beautiful*, in a *Fine* Horse, that must Catch the Eye of every Beholder, This in a Great Measure, is impossible to Describe, However, Would premise, that the parts wch Constitute Beauty, Constitute Strength, & the *Beautiful* Horse, is Always *Good*. On Certain Information, that there are Excellent Horses at Illinois Cascaskey, Quappa's, & many other places in those Countrys, it is requested in the most Earnest Manner, that Colo. Clarke send the Most Skilful person, Or, Persons, to search those Countrys Diligently, for two as above wch Having provided, to forward them to Newcastle, Hanover County, in the state of Virginia, as the Governour is Well Satisfy'd, Colo. Clarke Will incur no Unnecessary Expense, on this Material Occasion, so He Would Allow those Concern'd, besides the first Cost of the Horses, £200 for Searching for, & producing them at Newcastle, as soon as possible, seeing They Will be Wanted, to Cover a Number of fine Mares, the Insuing Season.

[Paragraph omitted because scratched out by Henry]

This memo. will direct Colo. Clark as to the Stallions. The Mares are to be sent to Colo. Christian & to be bot. quick as possible after receiving my letter

Wms.burg 14th. Decr. 1778.

P. H.

[Endorsed:] Patrick Henry private Spanish Horses.

[Endorsed, by Draper:] Dec. 1778. To Col. George Rogers Clark of Kentucky—then in the Illinois country.

sistance of the people composing the Militia or of the Inhabitants, it is expected they are to cooperate in Aid of the Troops sent from hence. And I know of no better general Direction to give than this, that you consider yourself as at the Head of the Civil Department, & as such having the Command of the Militia, who are not to be under the Command of the Military, until ordered out by the civil authority & act in conjunction with the Military. You are on all occasions to inculcate upon the people the Value of Liberty, & the difference between the State of free Citizens of this Commonwealth, & that Slavery to which Illinois was destined. A free & equal Representation may be expected there in a little time together with all the Improvements in Jurisprudence and police which the other parts of the State enjoy.

It is necessary for the happiness Increase & prosperity of that County that the Grievances which obstruct these be known in order to their removal. Let it therefore be your Care to obtain information on the Subject, & from that plans may be formed for the general Utility.

Let it be your constant Attention to see that the Inhabitants have justice administered to them for any Injuries received from the Troops. The omission of this may be fatal. Colonel Clark has Instructions on this Head & will I doubt not, exert himself to curb all Licentious practices of the Soldiery which if unrestrained will produce the most fatal Effects.

You will also discountenance & punish every Attempt to violate the property of the Indians particularly in their Lands. Our Enemies have alarmed them much on that Score. But I hope from your prudence & justice that no ground of complaint will be administered on the Subject.

You will embrace every opportunity to manifest the high regard & friendly Sentiments of this Commonwealth towards all the Subjects of his Catholic Majesty, for whose safety prosperity & advantage you will give every possible assistance. You will make a tender of the Friendship & Services of your people to the Spanish Commandant near Kaskaskias and cultivate the strictest connection with him & his people. I deliver you a Letter which you will hand to him in person.

The Detail of your Duty in the Civil Department, I need not give you. Its best Director will be found in your innate Love of Justice & Zeal to be extensively useful to your fellow men. A general direction to act according to the best of your Judgement in Cases where these Instructions are silent & the Laws have not otherwise directed, is given to you from the necessity of the Case. For your great Distance from Government will not permit you to wait for Orders in many Cases of great Importance.

In your negotiations with the Indians confine the Stipulations as much as possible to the single object of obtaining peace from them. Touch not the Subject of Lands or Boundaries till particular orders are received. Where necessity requires it presents may be made, But be frugal in that Matter as possible, & let them know Goods at present are scarce with us, but we expect soon to trade freely with all the World, & they shall not want goods when we can get them.

The Matters given you in charge are singular in their Nature, & Weighty in their consequence to the people immediately concerned & to

the whole State. They require the fullest Exertion of your Abilities & unwearied Diligence.

From matters of general Concern you will turn occasionally to others of lesser Consequences. M^r Rocheblares Wife & Family must not suffer for Want of that property of which they were bereft by our Troops. It is to be restored to them if possible. If it cannot, the public must support them.

I think it proper for you to send me an express once in three months with a general Account of Affairs with you, & any particulars you wish to communicate.

It is in contemplation to appoint an Agent to manage Trade on public Account to supply Illinois & the Indians with Goods. If such an Appointment takes place, you will give it every possible aid. The people with you should not intermit their Endeavours to procure Supplies on the Expectation of this, & you may act accordingly.

GOVERNOR HENRY TO LIEUTENANT-COLONEL JOHN MONTGOMERY.

(From Virginia Council Journal.)

December 12, 1778.

You are forthwith to put on Foot the recruiting of Men to reinforce Colonel Clark at the Illinois, & to push it on with all possible Expedition. As soon as the number of one hundred can be collected, let them be sent on under the proper Officers & join Colonel Clark. If you think that number too small to go in safety, add to it 'til you judge the number large enough to resist the Attacks that may be expected from the Indians.

You will cause the proper Vessels for transporting the Troops down the Cherokee River, to be built & ready before they are wanted. Let no Time be lost in doing that. M^r James Buchanan you must direct to lay in the provisions necessary. You will get Powder & Flints from Colonel Flemings & Lead from the Mines, sufficient for the Use of the Parties on their march.

Blank Commissions for the Officers of five Companies are delivered you, to be filled up as the Numbers of Men they recruit shall entitle them as to date & Rank. If any Officer who is intrusted to recruit shall fail to enlist & produce his Quota, in a reasonable Time, such as the Exigence & pressing Necessity to relieve & secure the Illinois Country, do require, in that Case the Officer so failing, is to give up the Men he has enlisted together with his recruiting Instructions to you, or such other Person as you may appoint to succeed him. And if the Person you appoint to succeed him fails in due time to enlist & produce the Quota for which he undertakes to recruit, you are to make a new appointment, 'til every Quota is full or so near full as to be fit to march. You are to take especial Care to appoint Men proper to be Officers, and as this Matter from the Necessity of the Case is intrusted to you, an improper appointment will reflect great Dishonour upon you.

As soon as the State of Affairs in the recruiting Business will permit you are to go to the Illinois Country & join Colonel Clarke. I need not tell you how necessary the greatest possible Dispatch is, to the good of the Service in which you are engaged. Our party at Illinois may be lost, together with the present favorable Disposition of the french & Indians there, unless every Moment is improved for their Preservation, & no future Opportunity, if the present is lost, can ever be expected, so favorable to the Interest of the Commonwealth. I therefore urge it on you to exert yourself to the utmost to lose not a moment to forward the great Work you have in hand, & to conquer every Difficulty in your Way, arising from an inclement Season, great Distances, want of many Necessaries, Opposition from Enemies & others I can't enumerate, but must confide in your Virtue to guard against & surmount.

Captain Isaac Shelby it is desired may prepare the Boats. But if he can't do it, you must get some other Person.

You receive ten thousand Pounds Cash for Col Clarks Corps, which you are to deliver him except two hundred Pounds for Captain Shelby to build the Boats & what other Incidental Expences happen necessarily on your Way which are to come out of that Sum.

GOVERNOR HENRY TO COLONEL GEORGE ROGERS CLARK.

(From "*Illinois Historical Collections*," VIII, 87.)

W^msburgh Dec^r 15th 1778.

Sir,

Myers your Express has been kept here a long Time. I laid your Letters before the Assembly who are well pleased with your conduct & have thanked you. The Messenger waited for the passing the Act I send herewith.

I thank you also for your Services to the Commonwealth & hope you'll stil have Success. M^r Todd is appointed to the County Lieutenancy. A Commandant as described in the Act is a civil Officer, & considering he is to hold his office during pleasure, it has been judged incompatible with any military office. You would have had it, had there been found any propriety in annexing it to military Command. Mr. Todd being a man of Merit, I have no Doubt he will be acceptable to you & all your Corps. Let me hear from you often as possible

I beg you will present my Compliments to M^r Gibault & Doct^r Lafong & thank them for me for their good Services to the State.

I send you a copy of the French Alliance & some other papers, by seeing which the people will be pleased, & attached to our Cause. I refer you to the Instructions I send herewith, & wishing you Safety & Success am

Sir Y^r mo. hble Servant

P. HENRY

P. S. The President of Congress has this Moment assured me that the English apply'd to Spain to mediate a peace with France. The King of Spain highly resented the Terms offered by the English & put

her whole Forces in Motion last Sept^r when every Day 'twas expected Hostilities ag^ts the English would be commenced. The Count D'Estaing the French Admiral has lately invited the French in Canada to take up Arms & join the Americans, & has in his Masters Name promised to support them. Let this be known every where in your Quarter. I send you a Col^os Commission & some Blanks.^{347½}
y^rs as above

P. HENRY

[Addressed:] To Col^o Geo. R. Clark.

(From Journal of the House of Delegates.)

Thursday, December 17, 1778.

Resolved, That the property of British subjects, in the hand of the respective commissioners appointed by the Governor and Council, is subject to the demand of their respective creditors; and that the said commissioners are, and ought to be, at liberty to apply the same in obedience to the process of any court of justice.

Friday, December 18.

Resolved, That the Governor be desired to inform Congress of the measures taken by this Commonwealth, for furnishing a supply of money to the continental treasury; that he also state to them, the pres-

^{347½}Governor Henry wrote also the following private letter:

Wms.burgh Decr. 16th. 1778

Dear Sir.

Since writing my private Letter to you, I am informed that Congress have Design to put their Forces on our Frontiers, under my Directions. I am unacquainted with Indian Affairs at present, not knowing what Nations do us most Mischief, their Numbers & situation, & what Nations have made peace. You must Therefore send me an Express directly upon Receipt of this, letting me know the Situation of Affairs with you, & what Nations of Indians we have the most to fear from.

Send off the Express to me with this Intelligence quickly as possible. Buy a Stallion on my Account for him to ride in. He may ride the Stallion & lead a Mare which buy for me also, & let him leave them at Colo. Christians, & get a fresh Horse there to ride to Wms.burgh. Chuse the best Stallion & Mare you can possibly get at so short warning for me, & let the Messenger take good Care of them. Perhaps it will be necessary to make one of the Creatures bring some Grain on it to feed them both on the Way. I send forty five pounds cash towards buying the Horse & Mare, by this Express, & shall send more Money by Colos. Todd & Montgomery. Let yr. public Letters to me contain nothing but public Affairs. I am Dear Colo.

Yr very hble Servant

P. Henry

The Other Mares mentioned in my other Letter provide without Loss of Time, & send them as good opportunitys offer.

Yrs. P. H.

[Addressed:] private To Colo. George Rogers Clarke at the Illinois by Wm. Myers.

Express—£45. enclosed

Govr. Henry Decr. 16th 1778

[Endorsed, by Draper:] Gov. Patk Henry 16th Dec. '78. Asks for information about Indian tribes.

ent low state of our treasury, occasioned in a great degree, by the advancing of money for continental purposes, the many demands of the same nature shortly expected to be made on us, and which we shall endeavor to answer in the first instance; and the hope we entertain, that if Congress can withhold their draughts for a short time, it will be in our power to answer it; to inform him, that he will notify Congress as soon as the state of the treasury will admit of a demand, and to entreat that in the mean time it may not be made.

Saturday, December 19.

Resolved, That the Governor, with the advice of the Council, shall be, and he is hereby empowered, to raise as soon as possible, by voluntary enlistments, a regiment of soldiers, to consist of six hundred men, rank and file, with proper officers to command them, for the particular purpose of guarding the British prisoners aforesaid; and that he be empowered to offer a bounty not exceeding thirty dollars to each man to be so enlisted; and this House will make good the expense of raising maintaining, clothing and paying the said regiment; and that until such regiment be raised, the Governor is hereby empowered, with the advice of the Council, to call out detachments of militia for the purpose of guarding the prisoners.

Resolved, That the Governor, with the advice of the Council, be empowered to instruct the Board of Commissioners, from time to time, to have such material alterations made in, and arrangements of the Navy, as may be judged expedient and necessary; and also, to direct the erecting such fortifications and batteries on the Bay of Chesapeake, as may, in cooperation with the Navy, more effectually protect the trade than hath been done hitherto.

Resolved, That Rev. James Madison³⁴⁸ and Thomas Walker, Esq. be appointed Commissioners for running the boundary line between Virginia and North Carolina.

Resolved, That the Governor, with the advice of the Council, be empowered to offer a bounty of fifty dollars to the volunteers who shall enlist in the service, for the protection and defence of the county of Illinois.

[Benjamin Waller was elected a Member of the Privy Council, vice Nathaniel Harrison, resigned.]

³⁴⁸The Rev. James Madison, a cousin of the James Madison who later became President of the United States, was born in Rockingham county (formerly Augusta) in 1749. After distinguishing himself as a student in the College of William and Mary, he became writing master in that institution. In May, 1773, he was appointed professor of natural philosophy. He studied law under Wythe, but soon gave up the profession, and went to England in 1775 to enter holy orders. On his return to Virginia he resumed his professorship, and, in October, 1777, succeeded John Camm as president, at the age of twenty-eight. Madison heartily seconded Thomas Jefferson in college reforms, the introduction of the elective system and the establishment of the honor system. In 1785 he presided over the first convention of the Episcopal church in Virginia, and, consecrated in September, 1790, in the chapel of Lambeth palace, by Archbishop Moore of Canterbury, he became the first bishop of the diocese of Virginia. Bishop Madison died in 1812; his remains lie buried beneath the chapel of the College of William and Mary.

*(From Journal of the Council.)*Wednesday December 23^d 1778.

The General Assembly having³⁴⁹ passed a resolution empowering the Governor with the Advice of Council, to raise a Regiment of Volunteers to consist of Six hundred Men rank & file, with proper Officers to command them, for the particular purpose of guarding the British Prisoners which are now, or may hereafter be stationed in this Commonwealth, & until such Regiment be raised, to call out Detachments of the Militia for the Purpose aforesaid; and it being represented that upwards of 4000 Prisoners are on their March to Charlottesville in Albemarle County- The Board advised his Excellency to give Orders to the County Lieutenants of Amherst, Buckingham, Louisa, Orange, Culpeper & Goochland to march One hundred of their respective Militias to guard the said Prisoners when Colonel Charles Lewis of Albemarle shall give them Notice, & to desire the said Lieutenants respectively in conjunction with two of their field Officers immediately to appoint two Captains two Lieutenants & two Ensigns & to direct them forthwith to raise two Companies of Volunteers to relieve the Militia in the Duty of Guarding the said Prisoners. And the Board also advised that Charles Lewis Esq^r be appointed the Colonel, Francis Taylor³⁵⁰ the Lieutenant Colonel, & William Fountaine³⁵¹ the Major to command the said Regiment, when raised; And that a Letter be written to Colonel Lewis informing him of what has been done and desiring that he would represent to the Officer who commanded the Escorte of the Prisoners the Necessity of his staying 'til a regular Guard is inlisted, by shewing the Danger of Committing the Business to raw Militia ill armed, half Clad, ignorant of Discipline, & of every thing requisite to prevent the Mischiefs which may be done by the Prisoners, many of whom as well Officers as Privates may be ill disposed & watchful to take every Advantage which Ignorance or Inattention may give them.

GOV. HENRY TO COL. CHARLES LEWIS.

*(From the Morgan Collection, New York.)*W^msb^urg Dec^r 23^d 1778*Sir,*

The British Troops, who came under the Convention of Saratoga may be daily expected in your County. Congress have directed them to be guarded by Militia of this State. The Assembly in order to have it done properly, & in order to ease the Militia have empowered the Executive to raise a Battalion of Volunteers. This is put on foot by Orders sent to the Counties of Amherst, Buckingham Louisa Orange

³⁴⁹On Saturday, December 19, the Assembly had adjourned to meet again on March 31, 1779.

³⁵⁰Francis Taylor, captain 2d Virginia, 8th May 1776; major 15th Virginia, 1778; retired 14th September, 1778; colonel "Convention" prisoners' guards, January, 1779, to June 1781.

³⁵¹William Fontaine, captain 2d Virginia 1775-1776; lieutenant-colonel "Convention" prisoners' guards, June, 1779, to June, 1781.

Culpeper & Goochland to raise one hundred Men each to make up the said Battalion. You are appointed a Col^o to command it. Francis Taylor Lieutenant Col. W^m Fountain Major & as soon as the Troops can be collected you are to take Command of them. But in the mean time it may be necessary to have a battalion of Militia 'til the other Corps is raised, because it is probable that the Guard who bring the Prisoners, may have positive Orders to return immediately, & may not be prevailed on to stay 'til the Corps to be formed for this Duty, is collected. I wish you to represent to the Gentⁿ who command the Escorte, the Necessity of his staying 'til a regular Guard is inlisted, by shewing the Danger of committing the Business to raw Militia ill armed half Clad ignorant of Discipline & of every thing requisite to prevent the Mischiefs which may be done by the Prisoners many of whom as well as their Officers may be ill disposed & watchful to take every advantage which Ignorance or Inattention may give them. I would now write to the Officer who commands the Guard from the North but I know not who he is, and I trust your urging these things to him will answer the Purpose.

In case it is necessary to have a Guard of Militia called in, you are to send to the County Lieutenants of Amherst, Buckingham Louisa Orange Culpeper, Goochland to furnish you 100 men each. You are to command them assisted by the Lieutenant Colonel & Major of your Militia whom you are to call on Duty to command no longer than the Militia from the aforementioned Counties remain on Duty with you.

The Militia of your County are not to be called on to do Duty but must have orders to hold themselves ready by having their arms in good order & ammunition laid in to act in case of necessity.

Arms & Ammunition for the Volunteer Battalion when formed will be sent from hence as also any other Thing that may be requisite & which at present I cannot recollect.

I consider the Careful Discharge of the Trust for guarding these Prisoners which is reposed in you as a matter of high Concern to the Safety & repose of this State. The worst consequences will attend their getting away or meeting. A due attention to their Wants, & to the Dictates of Humanity toward them is highly proper & what I am convinced you will not omit, because the Honour of our Country requires it. Upon the whole great Reliance is placed on your Prudence watchfulness and propriety of Conduct, which I have no Doubt will be conspicuous throughout the whole of this Business that falls under your Direction.

I am

Sir

Y^r mo. obed^t Serv^t

P. HENRY.

Col. Charles Lewis
of
Albamarle

GOVERNOR HENRY TO COLONEL GEORGE ROGERS CLARK.

(From W. W. Henry's "Henry," III, 218.)

Williamsburg Jan 1, 1779.

Sir:

The late assembly having made some alteration in the Western forces as stated to you in a former letter, I think it necessary to apprise you of it. They have directed your battalion to be completed, 100 men to be stationed at the falls of the Ohio under Major Slaughter,³⁵² and one only of the additional battalions to be completed. Major Slaughter's men are raised, and will march in a few days, this letter being to go by him. The returns which have been made to me do not enable me to say whether men enough are raised to make up the additional battalion, but I suppose there must be nearly enough. This battalion will march as early in the spring as the weather will admit.

I hope that by this time the Spaniards have relieved us from the Natchez and Mansiack. I know therefore of but two objects between which you can balance for your next summer's operations. These are 1. an expedition against Detroit, or 2. against those tribes of Indians between the Ohio & Illinois rivers who have harrassed us with eternal hostilities, and whom experience has shewn to be incapable of reconciliation. Removed at such a distance as we are, and so imperfectly informed, it is impossible for us to prescribe to you. The defences at Detroit seem too great for small arms alone; and if that nest was destroyed, the English still have a tolerable channel of communication with the Northern Indians, by going from Montreal up the Utawa river. On the other hand, the Shawanese, Mingoes, Munsies and the nearer Wiandots, are troublesome thorns in our sides. However we must leave it to yourself to decide on the object of the campaign; if against the Indians, the end proposed should be their extermination, or their removal beyond the lakes or Illinois river. The same world will scarcely do for them and us. I suppose it will be best for the new battalion to act with you all the summer, aided by a considerable part of Slaughter's men; and in the fall to fortify the posts we propose to take on the Ohio, and remain in them during the succeeding winter. The posts which have been thought of are the mouth of Fishing, or Little Kanhaway, Great Kanhaway, Sioto, Great Salt Lick, & Kentucky. There being posts already at Pittsburg, the mouth of Wheeling, & the Falls of Ohio, these intermediate ones will form a chain from Pittsburg to the falls. I have then only to wish that your post was at the mouth of Ohio, which would complete the line.

I am Sir with great respect,
Your very humble serv^t,

P. HENRY.

Colo. George Rogers Clarke.

³⁵²Lawrence Slaughter, lieutenant in Clark's Illinois Regiment, 1779-1781.

GOV. HENRY TO GOV. CASWELL, OF NORTH CAROLINA.

(From "*State Records of N. C.*" Vol. XIV, pp. 243-246.)

Williamsburg, Jan'y 8th, 1779.

Sir:

Captain Martin, the Agent for this State in the Cherokee nation, is now here. He has given a long State of Facts respecting a part of that nation settled at Chickamogga & its neighborhood, by which I am informed that a considerable number of our people have been Murdered by them. By several Circumstances attending the murder of William Cote, lately committed, by these Indians having sent near 300 Horses to be loaded with goods at Pensacola, by the constant Residence of a British agent among them, & by a great Variety of other concurring Incidents, there seems no room to Doubt the certainty of Captain Martin's Conjecture, in that these Indians intend a vigorous attack upon our Frontiers in the Spring. The Agent has mentioned also several Injuries done to Subjects of your State by the same Indians, which, I doubt not, have been communicated to you.

The Navigation of the Tennessee River, a matter in which your State, as well as ours, seems deeply interested, is rendered unsafe, & Indeed impracticable, so long as these Banditti remain unpunished. Their present Situation on the Banks of that river gives them the Command of it. By this means the Communication with our posts on the Mississippi & Ohio is rendered difficult, expensive and precarious, & the flattering prospects of Trade which were opening to our View at New Orleans are lost. Impunity will add strength & invite numbers to join these offenders, who have dared to secede from the Body of their Nation, to refuse the peace offered them, & by openly adhering to the English have committed depredations & murders & set our power at Defiance.

Justice & necessity as well as policy do therefore demand that proper measures be adopted to chastise these people, and, by doing that, to anticipate the Evils they meditate against us. And in order to lose no time I have given Directions to Colo. Shelby to raise 300 men immediately, to march to Chicamogga and totally to destroy that & every other settlement near it, which the offending Indians Occupy.

I do not suppose this Force sufficient for the purpose, and I have to request of your Excellency that it may be increased to 500 by drawing 200 men from that part of your State most convenient to the great Island of Holston, & that you will be pleased to issue your orders accordingly I shall be glad. You will please, also, to appoint a Lieut. Col. to act under Col. Shelby, and to give the necessary Directions for the pay and provisions of men furnished by your State. I have reason to expect that the Expedition will be very short & little expensive, & that our people, as well as those of No. Carolina settled on the waters of Holston, will perform the service with great alacrity.

The privy Council, by whose Concurrence & advice this Business is undertaken, have thought with me that the only Evil which can arise is the Displeasure of the Bulk of the Cherokee nation, who are at present

in peace & Friendship with us. Our Agent, who has been very particularly examined as to that, is strongly of opinion that the measure will not endanger that peace, but will strengthen it. He observes that the leading Men are much exasperated at the Conduct of the Seceders at & about Chickamogga who perpetually embroil their public Council, and, by repeated violence, instigated by British Emissaries, attempt to involve the nation at large in the suspicions of Hostility & consequent war, which would be evidently destructive to them and that numbers of Indians have gone & are going to Chickamoga from the Towns, notwithstanding the Remonstrance made against these Imigrations by the old Warriors, most of whom have expressed great wrath and Bitterness against the Headstrong & Lawless part of their nation. Their being obliged therefore to return to the old Towns, it is thought, will be highly acceptable, & those of the men who may be slain will fall unlamented by their country, who I trust will have no occasion furnished to Complain of the Loss of Women or Children, the strictest orders being given to spare them.

I have given your Excellency this Explicit account of the Intended Expedition that you might see the propriety of the Co-operation requested. The advantages resulting from peace with all the Cherokees are mutual to North Carolina & Virginia. War with that people involves both country.

It seems proper, therefore, that both should engage in the present undertaking. However, notwithstanding all that is here said, if it happens that your Excellency is possessed of Facts not known here, & from which you are convinced that bad Consequences will follow the Execution of the plan for chastising the Chickamogga Indians, it will be postponed for the present. But I cannot help thinking that no time should be lost in striking the Blow that the Militia may return time enough to prepare for their summer Crops; & for this purpose that your orders will go to Holston without loss of time for the 200 Men to join Col. Shelby, who is getting ready to march immediately.

I shall be much obliged to your Excellency for your answer by the Bearer, & am,

With great regard & esteem, Sr.,

Y'r Excellency's mo. obed. Servant,

P. HENRY.

P. S. I send herewith a Copy of an Act of Assembly for extending Boundary Line as also a letter from the Commissioners to the Commissioners of your State on that Subject.

P. HENRY.

To Gov. Caswell³⁵³

³⁵³For consideration of the above letter in the Senate of North Carolina, see "N. C. Records" Vol. X, p. 537.

(From Journal of the Continental Congress, January 15, 1779.)

The Marine Committee, to whom were referred the letters from the governors of Maryland and Virginia, brought in a report which was taken in consideration;

Whereupon,

* * *

That the President of Congress be requested to inform the governor of Virginia that measures have been taken to protect the trade of Chesapeake Bay, and that Congress flatter themselves a speedy end will be put to the depredations of Godridge³⁵⁴ and his associates, and also that Congress esteem it necessary to the success of the expedition against East Florida that the troops and galleys requested of that State should proceed to Charlestown in S. Carolina with all convenient Speed.

GOV. HENRY TO COL. CHARLES LEWIS.

(From the Morgan Collection.)

W^msburgh Jan. 22^d 1779

Sir,

I rec^d yours by Express & am fully satisfy'd that the Business you've undertaken will be well done as far as Circumstances will permit.

I am sorry to hear of the Barracks being bad & the Provisions wasted.

I shall immediately find, as soon as it can be done, five hundred Guns to arm the Guard. I wish you to send to Richmond for Powder Lead & Cartridge Paper. I send a Direction to Col^o Southall to deliver these Articles to you.

Flints will be ordered from hence.

With great Regard I am

Sir

Y^r mo. obed^t Serv^t
P. HENRY.

I have no Doubt you'll take the greatest Care to have the Arms returned. They will be embezzled unless great Vigilance is used.
[Addressed:]

Public Service
Col^o Charles Lewis
Albemarle.

(From Journal of the Continental Congress, January 22, 1779.)

Resolved, That letters be despatched to their excellencies the governors of Virginia and North Carolina, earnestly requesting them to press forward the relief formerly recommended by Congress to be sent

³⁵⁴John Goodrich.

from those states to South Carolina and Georgia, and such further assistance as may be requested by the commanding officer in the southern department, and that particular attention be paid to the arming them in the best manner and retaining them as long as the service shall render it necessary; and that the governor of Virginia be requested to send forward to South Carolina such part of the regiment of artillery raised by the state of Virginia as may be spared on that service.

(From the Journal of the Continental Congress.)

January 23, 1779.

Ordered, That the Commander in Chief be directed to order Major General Phillips immediately to repair to the place of his destination in Virginia.

Tuesday, January 26, 1779.

The hon^{ble} Mr. M. Smith laid before Congress sundry papers, which he informed the House contained matters of public information, and which the delegates of Virginia were instructed to lay before Congress: the papers being read, are,

1. An account, headed, "Sums advanced for the State of Virginia, by the hon^{ble} Arthur Lee, Esq dated September 3, 1778," and under signed "a true copy, H. Ford,³⁵⁵ secretary;" on which is endorsed as follows, "the delegates from the State of Virginia are instructed to lay this paper before Congress, with a view to inform them that Hezekiah Ford, who signs it as secretary to the hon^{ble} Arthur Lee, hath been and is considered by the governor and council of this State as an enemy to the American cause of independence, and by no means a fit person to be near the person of an American commissioner in Europe, or entrusted with any of the secrets of the United States or of their allies. January 25, 1779."

* * *

³⁵⁵For the case of Hezekiah Ford, secretary to Dr. Arthur Lee, and the Silas Deane—Richard Henry Lee controversy, see Ballagh's "Letters of Richard Henry Lee", Vol. II, 42, 112-113, etc.

GOV. HENRY TO THE PRESIDENT OF CONGRESS, JOHN JAY.

(From W. W. Henry's "Henry," III, 219.)

Wmsburg Jan 28th 1779.

Sir: This Day I am honor'd by your Despatches of the 13th covering an Act of Congress for raising a Battalion of Troops to guard the British prisoners in Albemarle.³⁵⁶ The last general assembly passed a vote for raising this Battalion, & the orders for carrying it into effect have been issued about a month ago. I have not been informed of the success which the recruiting officers have had. I shall lose no time in communicating to them the vote of Congress, by which I find the Privates are entitled to a suit of Clothes. Our Assembly directed a Bounty of thirty Dollars to be given, and I have hopes that both these bountys operating together will induce a sufficient number to enlist. If the Clothes could be forwarded to Albemarle, ready to be delivered, I think it would have a good effect.

With great regard I have the Honor to be,

Sir,

Yr most obed. servant.

Honble John Jay Esq.

P. HENRY.

President of Congress.

P. S. I wish it may not be found very difficult to supply the Guards & Saratoga Troops with provisions at Charlottesville. But I fear I shall be obliged to say something more respecting the subject of these Troops soon, as I understand a great number of the officers are permitted to reside at Richmond Town, without consulting me. This place contains our Magazine and public records, & is very unfit for their Residence.

³⁵⁶[From Journal of the Continental Congress, January 9, 1779] A letter, of 6th, from the Board of War, was read: Whereupon:

Resolved, That a battalion consisting of 600 men, properly officered, be forthwith raised on continental establishment in Virginia, for the space of one year from the time of their enlistment, unless sooner discharged, under the direction of the governor and council of that State, who are hereby empowered to appoint the officers of the said battalion out of those of the Virginia line, who have been left out of the late arrangement of the continental army, as far as their numbers will reach; the regiment to consist of one lieutenant colonel commandant and captain, one major and captain, six captains, one captain lieutenant, seven lieutenants, nine ensigns, one surgeon, one surgeons mate, eight companies of 75 men each, including corporals, three sergeants, one drum and one fife to each company:

That these troops be stationed at, and not removed (except to such distances as the duty of that post may require) from the barracks in Albemarle county, as guards over the convention troops, that they receive the usual pay of the continental army, and a suit of cloaths as a bounty to each non-commissioned officer and private:

That as soon as the said regiment shall be so far completed as to be able to do the duty of the post, the militia now in the service there be discharged.

The board are informed that this regiment might be very soon completed if orders for that purpose were now issued, as the people of that country are apprehensive of a draft to serve in the continental army, to avoid which they would enlist on the condition of being stationed at the barracks and not subject to be ordered to camp.

GOV. HENRY TO THE PRESIDENT OF CONGRESS, JOHN JAY.

(*Cont. Congress Papers, Va. State Papers, 71, vol. 1.*)

W^msburgh Jan. 31st 1779

Sir

Yesterday I had the Honor of your Despatch covering two Acts of Congress on the Subject of Finance

With great Regard I have the Honor to be

Sir

y^r mo. ob^t Servant

Honble John Jay Esq^r

President of Congress

P. HENRY

[Addressed:]

The honble

John Jay Esq^r

President of Congress

Philadelphia

[Indorsed:]

1779

Letter from

Gov^r. Henry of

Virginia

31 Jan^y 1779

(*From Journal of the Continental Congress.*)

Tuesday, February 2.

Resolved

* * * * *

That the governments of Virginia and North Carolina be requested to afford all possible aid to South Carolina and Georgia, of men, arms, and other necessary articles, at the continental expence.

GOV. HENRY TO GOV. CASWELL, OF NORTH CAROLINA.³⁵⁷

(*From "State Records of N. C." Vol. XIV, pp. 19-20.*)

Wmsburg, Feby. 6th, 1779.

Sir:

The two ships built at the cost of this State in North Carolina have been vastly expensive. When the project was first set on foot, two gentlemen from your State attended here in order to demonstrate the practicability of protecting our Trade thro' Ocracoke and proposed that Carolina should furnish a force equal to ours in your Sound, to co-operate with it. I've heard it has not been done, but don't certainly know anything about it. I beg leave to refer it to the justice and Equity of your State- whether Virginia ought not to be reimbursed, in some considerable degree, the great expenditures incurred in the adoption of

³⁵⁷For Governor Caswell's answer, see "State Records of N. C.", Vol. XIV, p. 36.

the plan recommended from your Legislature, for protecting the trade of Ocracoke.

I do not enumerate any of the particulars which induce me to make this request, presuming they are better known to you than to me.

Certain prisoners, to the number of seventy, being the officers and crew of the British Ship *Tartar*, stranded on your coast, and sent here by a Col Jarvis³⁵⁸ The capitulation, it is affirmed by them, is that they go unmolested to New York. The vessel was given up with all her stores, &c., in consequence. No officer attended them, or any person from whom I could be informed of anything I wished to know. They lay me under great embarrassment, as I wish to observe the capitulation. I beg your Excellency will be pleased to call on Col. Jarvis for an explanation of his conduct, which, as it was stated by the prisoners, was wrong. He certainly must know that prisoners sent from one [your] State to this ought to come under your Excellency's Orders, and that to have him lose such a number of people, without a guard in our State, is a dangerous thing. The prisoners say that the vessel, &c., is of vast value, and that Col. Jarvis has got it, and that therefore they expect to be maintained here and to have all the rights of prisoners and the stipulations executed.

I doubt not your Excellency will at once see the impropriety of this proceeding and prevent in future anything of a similar nature.

I shall be much obliged by an answer, and beg leave to assure you of the high esteem and regard with which I have the honor to be, Sir,

Your Excellency's mo. obed. Servt.,

P. HENRY.

(From Journal of the Continental Congress.)

Monday, February 8, 1779.

Resolved, that it be recommended to the States of Maryland, Virginia and North Carolina, to permit such vessels from the States of Massachusetts Bay and Rhode Island and Providence Plantations to load with bread and flour for the said States, as shall produce authenticated vouchers from the executive bodies of said States, that such vessels have been authorized to import such bread and flour for the said States and have given bond and security for the execution of said trust. And that vessels belonging to the States of Maryland, Virginia and North Carolina be permitted to export bread and flour to the States of Massachusetts Bay and Rhode Island and Providence Plantations, upon their giving bond and security to the executive bodies of the States of Maryland, Virginia and North Carolina to produce certificates from the executive Power of the State where the same shall be delivered, that the same was there unladed.

³⁵⁸Samuel Jarvis, colonel of N. C. militia.

(From a letter of Richard Henry Lee to Gov. Henry, dated
February 10, 1779.)

Mons'r Penet³⁵⁹ is now on his way to look at our Cannon works near Richmond. This Gentleman combined, I understand, with persons of much ability, have imported and proposed to import more than 200 workmen, the most able in the art of making small Arms complete, and casting all kinds of Cannon. They propose doing everything at their own expense, and to supply on contract any number of completely fitted Muskets or Cannon at a fixed price. They want only a fit place to sit down on. * * I really think it would require at least 100,000 stand of good arms, and more than an hundred pieces of Cannon to put our state in a proper posture of defence. If you view this matter in the light that I do, Mr. Penet will, I am sure, meet with all possible encouragement. "Letters of Richard Henry Lee" (Ballagh), Vol II, pp. 27-28.

GOV. HENRY TO THOMAS SMITH, STATE AGENT.

(From Thomas Smith Papers, Virginia State Archives.)

feb 13th 1779.

Sir

I have to desire you will be pleased to attend to the Depo^s which Cap^t Wren³⁶⁰ wishes to take in order to justify his conduct. The Cap^t has Witnesses attending here at great Expences & I wish this Measure may be taken in order to relieve them, & to be grounds for forming a Judgement hereafter. I am

Sir

Y^r hble Serv^t

P. HENRY.

M^r Thomas Smith

[Endorsed:]

Patrick Henry

Letter Concerning Capt'n Wren

13th February 1779.

GOV. HENRY TO GOV. JOHNSON, OF MARYLAND.

(Letter presented by Mr. S. H. McVitty to the Patrick Henry
Hotel of Roanoke, Va.)

Williamsburg Feb^y 19 1779.

Sir

Your Favour by Col^o de Cambray was delivered to me by him. Our Stock of Arms will not permit us to furnish him, as desired; the number of them being very disproportionate to the number of Militia.

³⁵⁹The memorial of Penet, Wendall & Co., of Nantes, was presented to the House of Delegates on June 2. A contract was drawn up and signed shortly after Jefferson became governor, but nothing came of the scheme.

³⁶⁰Capt. Joseph Wrenn was in command of the schooner Defiance.

A great many have been furnished to the Continent, by this State, from Time to Time, which are not likely to be returned.

I am very glad to understand that something is like to be done by your State, for the protection of the Trade, and am happy to be anticipated on the Subject, being about to lay before you the distressed State of our Commerce, which has lately suffered most severely from the Enemys Privateers. Our Sea Force is at length collected, and ordered to resist them, but whether it can be done with Success, is a Doubt. There is therefore an absolute necessity for assistance from your State, before any thing like Safety, can be given to the Trade about the Capes. This is a matter, in which Maryland is so essentially concerned, that I trust, we shall no longer be left alone, to struggle with a Force to which we are unequal.

With great Regard and Esteem, I have the Honour to be
Sir

Your Excellencys most obedient
and very humble servant

P. HENRY.

His Excellency Governour Johnson
of
Maryland

[On February 29 Gov. Henry wrote a letter to the Virginia delegates in Congress the purport of which may be inferred from the reply of Lee, dated March 3.

"Your letter to the delegates of the 29th of Feb. has been laid before the marine committee, in consequence of the business of retaliation on Marine prisoners having been referred by Congress to that Committee.
* * *" See Ballagh's "Letters of Richard Henry Lee," II, 37-38.]

GOV. HENRY TO GEN. WASHINGTON.

(From W. W. Henry's "Henry," III, 229.)

Williamsburg, 13, March, 1779.

Sir: The reasons hinted in your Excellency's last favor are certainly of such weight as to prevent the flag of truce vessels, coming with stores, &c., for the Convention troops, from proceeding further than Hampton Roads. Orders are therefore issued to-day, for vessels of our own to be ready at that place to convey the stores upwards to their destination, under the superintendence of proper Commissaries.

My last accounts from the south are unfavorable. Georgia is said to be in full possession of the enemy and South Carolina in great danger. The number of disaffected there is said to be formidable, and the Creek Indians inclining against us. One thousand militia are ordered thither from our southern counties; but a doubt is started whether they are by law obliged to march, I have also proposed a scheme to embody volunteers for this service; but I fear the length of the march, and a general scarcity of bread which prevails in some parts of North Carolina and this State, may impede this service. About five hundred militia are ordered down the Tennessee River, to chastise some new

settlements of renegade Cherokees that infest our southwestern frontier and prevent our navigation on that river, from which we began to hope for great advantages. Our militia have full possession of the Illinois, and the post on the Wabash; and I am not without hopes that the same party may overawe the Indians as far as Detroit. They are independent of General McIntosh, whose numbers, although upwards of two thousand, I think could not make any great progress, on account, it is said, of the route they took, and the lateness of the season.

The conquest of Illinois and Wabash was effected with less than two hundred men, who will soon be reinforced; and by holding posts on the back of the Indians, it is hoped may intimidate them. Forts Natchez and Morishac are again in the enemy's hands; and from thence they infest and ruin our trade on the Mississippi, on which river the Spaniards wish to open a very interesting commerce with us. I have requested Congress to authorize the conquest of those two posts, as the possession of them will give a colorable pretence to retain all West Florida, when a treaty may be opened, and, in the mean time, ruin our trade in that quarter, which would otherwise be so beneficial. I can get no answer to this application, although it is interesting to our back settlements, and not more than four hundred men required for the service.

I beg pardon for intruding these several subjects upon you. If you find leisure to make any observations upon them they will be highly acceptable. With every sentiment of regard and esteem, I am dear Sir.

Your most obedient servant,

PATRICK HENRY.

His Excellency Gen^l George Washington.

GOV. HENRY TO PRESIDENT REED.

(*From Penn. Archives, 1st Series, Vol. 7, p. 247.*)

W^msb^urg, March 13th, 1779.

Sir,

Your Favor of the 21st ult^o is come to Hand, & I should gladly cooperate with you in the Salutary Design of checking the Enemys Depredations on the Trade of these States, by laying a general Embargo, if the Law had given Authority to do so. But as this is not the Case, all I can do will be to lay the Matter before the next general Assembly, which meets the first Monday in May. With great Regard I have the Honor to be.

DUDLEY DIGGES, LIEUTENANT GOVERNOR, TO COL. PRESTON.

(*Virginia State Archives.*)

W^msburgh March 21st 1779.

Sir,

Your Letter of the 11th instant was this Day laid before the Council, and they have ordered a Warrant to issue to Col. Floyd³⁶¹ for two thousand two hundred and fifty pounds for your use for Bounty for the Continental Recruits.

You will be pleas'd Sir upon receiving the Money, to transmit your Bond for the same by the first opportunity to this Board- the other Matters mention'd in your Letter will be attended to hereafter. I am
Sir

Your mo Ob^t hble Serv^t
DUDLEY DIGGES, L. G.

[For purport of a letter of John Page, Lieutenant-Governor, to Richard Henry Lee concerning stores expected from France and which it was feared had been captured by the enemy, see Lee's Letter to Page, dated April 4 1779. "Letters of Richard Henry Lee" (Ballagh), II, 41-42.]

(*From Minutes of the Council.*³⁶²)

Monday Mar. 22^d 1779

Present Dudley Diges D Jamison Jas Madison Jos. Prentis & Ben Waller Esq^{rs}

M^r Digges informed the board that having rec^d a Lr. from Col^o Muter giving information of y^e arrival of y^e Vessels with the Clothing & Stores for y^e Convention Troops, also a Lr. from W^m Collier esq^r Sec^y to Maj^r Gen^l Philips, commander of y^e army under Convention requesting that y^e Schooner Argyle may be permitted to proceed wherever y^e other Vessels may be ordered to unlade &c. & another Lr. from his Excellency Gen^l Washington desiring that the necessaries & Specie on board the Schoner Argyle may be rec^d in some of our bay Craft to be conveyed to the british Troops & that the s^d Schooner may be immediately dismissed. He thought it prudent, as the Gov^r & Lieu^t Gov^r were both absent, to call the Board together for their advice.

Whereupon, the several letters being read & considered by the Board, they advised that Col^o Muter be directed not to permit any Person whatsoever from the s^d Vessels, particularly the aid de Camp & Ladies alluded to in his Lr., go on shore at Hampton, in case application shd be made to him for that purpose, but that they may be conveyed to W^msburg or Richmond if a Boat of our own can be procured for the Purpose & they desire it- that he be desired to hire proper

³⁶¹Father of John Floyd, governor of Virginia, 1830-1834.

³⁶²These items are from one of the few remaining pages of a mutilated book of the Minutes of the Privy Council, preserved in the Virginia Archives. The Journal of the period January 1 to June 1 is not known to be in existence.

Craft to receive on board the s^d Schooner Argyle the Stores & Specie for the British Prisoners at Frederick-Town in Maryland, & that he send them under the care of some trustworthy Officer to Alexandria to be delivered there to such Persons as may be authorized to receive them, or, in case no such Persons are there, to be left in the care of Col^o Jn^o Carlyle³⁶³ of that place 'til properly demanded- And that he be directed to negotiate the exchange of Prisoners proposed by Henry Studdy Esq^r Commander of the Lady Herve now in Hampton Road. And a Lr. was written to Col^o Muter agreeable to the Foregoing advice (Copy filed).

Friday Mar: 26th 79

In Consequence of an Application for M^r Jn^o Moss for an additional allowance for his Service as Agent for retailing Goods to the Virg^a Quota in Continental Service, without which the late exceeding depreciation of the money would oblige him to resign that appointment- The Board advised the L^t Gov^r to raise his pay to the rate of £750 per annum computing from the date of his apptm^t

GOV. HENRY TO GEORGE MASON.

(From W. W. Henry's "*Henry*," II, 45.)

March 27, 1779.

I view things very differently, I fear, from what people in general do, who seem to think that the contest is at an end, and to make money, and to get places, the only thing now remaining to do. I have seen without despondency (even for a moment) the hours which America has styled her gloomy ones, but I have beheld no day since the commencement of hostilities, that I have thought her liberties in such imminent danger as at present. Friends and foes seem now to combine to pull down the goodly fabric we have hitherto been raising at the expense of so much time, blood, and treasure- and unless the bodies politic will exert themselves to bring things back to first principles, correct abuses, and punish our internal foes, inevitable ruin must follow. Indeed we seem to be verging so fast to destruction, that I am filled with sensations to which I have been a stranger till within these three months. Our enemy behold with exultation and joy, how effectually we labor for their benefit, and from being in a state of absolute despair, and on the point of evacuating America, are now on titptoe. Nothing, therefore, in my judgment, can save us, but a total reformation in our conduct, or some decisive turn to affairs in Europe. The former, alas! to our shame be it spoken, is less likely to happen than the latter, as it is now consistent with the views of the speculators- various tribes of money makers and stock jobbers of all denominations, to continue the war for their own private emolument, without considering that their avarice

³⁶³John Carlyle (1720-1780) came to America about 1740, and in 1744 was a merchant at Belhaven. His house, built in Alexandria, Va., in 1752, is still standing. Letters of Carlyle may be found in Hamilton's "Letters to Washington."

and thirst for gain must plunge everything (including themselves) in our common ruin. . . . I cannot refrain lamenting in the most poignant terms, the fatal policy too prevalent in most of the states, of employing their ablest men at home in posts of honor or profit, till the great national interests are fixed upon a solid basis. . . . I allude to no particular state, nor do I mean to cast reflections upon any one of them—nor ought I, it may be said, to do so upon their representatives; but as it is a fact too notorious to be concealed, that Congress is rent by party, that much business of a trifling nature and personal concernment withdraws their attention from matters of great national moment at this critical period—when it is also known that idleness and dissipation take the place of close attention and application, no man who wishes well to the liberties of his country and desires to see its rights established, can avoid crying out, where are our men of abilities? why do they not come forth to save their country? Let this voice, my dear sir, call upon you, Jefferson and others. Do not, from a mistaken opinion that we are about to sit down under our own vine, and own fig-tree, let our hitherto noble struggle end in ignominy. Believe me when I tell you there is danger of it. I have pretty good reasons for thinking that administration a little while ago, had resolved to give the matter up and negotiate a peace with us upon almost any terms; but I shall be much mistaken if they do not now, from the present state of our currency, dissensions, and other circumstances, push matters to the utmost extremity. Nothing, I am sure, will prevent it, but the interposition of Spain, and their disappointed hopes from Russia.

(From the surviving pages of the Council Minutes, 1779.)

Monday March 29th 1779

Present Jn^o Page Lieut Gov^r D. Digges. D. Jameson, Jas Madison Jos Prentis & B. Waller Esq^{rs}

Col^o Theodorick Bland having been appt^d by Gen^l Washington to command at the barracks of the Convention Troops in Albemarle, & having made application to this board for Instructions & Assistance—the board were of Opinion that a Small party of Light horse to pursue Deserters & be ready for emergencies & such Supplies for a Table as will maintain the dignity & importance of his Station are things necessary, but as the Superintendence of that business has been expressly disclaimed by them, they could do no more than recommend it to the Col. to send for 15 Dragoons from his own Reg^t to serve at the barracks, & to certify to Congress as their opinion that a Table is necessary, which the Lieu^t Gov^r was requested to do by Lr— a Lr. was accordingly written & ord^d to be recorded (Copy filed).

A Lr. from Maj^r Gen^l Lincoln referring to Maj^r Meade³⁶⁴ for an acc^t of affairs to the Southward was read, & Maj^r Meade attending & having related the Distressed Situation of Gen^l Lincoln for want of Troops— the Board advised that Col^o Mason be written to, to March

³⁶⁴Everard Meade, captain 2d Virginia, 1776; major and aide-de-camp to General Lincoln, 1778, to close of war.

off so many Militia ordered for the Expedition as he may be able to collect, without delay, by the shortest Rout to join the Gen^l & a Lr. was written accordingly.

The Board, taking under their consideration sev^l Letters from Col^o Muter relative to the procuring Boats for the reception of the Stores from on board the Flags of Truce, & finding such Interruptions to their Deliberations by having their attention called off to the affairs of the Convention Troops, advised that Col^o Muter be requested & empowered to take under his direction entirely the management of every thing relative to the Business of the Flags of Truce & to hire such Vessels as may be necessary for the more Expeditious Dispatch of the s^d Flags. And a Letter was written to Col^o Muter accordingly- a Copy filed.

Wednesday March 31st 1779.

M^r Digges informed the board that Gen^l Scott, who is ordered by his Exc Gen Washington into this State, agreable to the Gov^{rs} request, for the purpose of appointing a place of gen^l rendezvous & for giving the necessary orders for Collecting & marching the new recruits to the grand army; being arrived & wishing for the directions of the Executive, he therefore thought it prudent to call a Council for their advice- Whereupon the Board on conferring with Gen^l Scott, advised that orders be given to the Commissary of Stores to send on without delay, Cloathing for 1000 of the new recruits to Fredericksburg; that being the Place of rendezvous pitched upon by the Gen^l for the First Division.

[On April 15 the Virginia Delegates in Congress laid before Congress a letter of 29 March from Lieutenant-Governor John Page, which was read, and ordered referred to the said delegates, to report thereon.]

[The Minute Book shows a meeting of the Council on April 2^d 1779, the Governor still absent. Nothing of moment was done at this meeting.

On the fragment of one page further on appears the following:

The Gov^r is advised to direct the Commissary of Stores & the Clothier immediately to remove to this place with their respective Stores.

On another fragment appears the following:

Tuesday June 20th 1780

Present

His Exc^y

D. Digges; A Lewis; G. Webb J Ambler & W^m Fleming Esq

The Gov. laid before the board the proceedings of a Council Held in Norfolk County wherein a plan for the defence -- -- is proposed.]

(From the Virginia Gazette April 9, 1779.)

In Council, Williamsburg, April 6, 1779.

I do hereby with the advice of the Privy Council, recommend to the inhabitants of the state to observe the first Thursday in May next

as a day of fasting, humiliation and prayer, in the manner prescribed in the above proclamation.³⁶⁵

P. HENRY.

(*From the Journal of the Continental Congress.*)

April 13 1779.

Resolved, That the State of Virginia be requested to lend to the United States 1000 stand of arms, for the purpose of arming the forces destined for the defence of South Carolina and Georgia; and that the Board of War be ordered to replace them without delay.

[On April 16 Governor Henry wrote to the Virginia delegates in Congress. This letter was read in Congress on May 17, and referred to the Board of Treasury. "Journal," Vol. XIV, p. 597.]

GOV. HENRY TO THE VIRGINIA DELEGATES IN CONGRESS.

(*From W. W. Henry's "Henry," III, 232.*)

Wmsburgh April 23^d 1779.

Gentlemen, I have received a Letter from the Colonel of the Battalion of Guards at the Barracks of y^e Convention. Troops complaining most bitterly for the want of Clothes, Congress having promised them to this Corps, makes it proper to apply through you Gentlemen for them. I beg Leave to say that y^e Guards are in the utmost Distress for want of Clothes, and unless they are supplied in the most speedy manner I fear the Consequences, as Desertions have begun already to take place.

I am,
Gentlemen,
Y^r mo. obd^t Servant,
P. HENRY.

Honble the Virginia Delegates.³⁶⁶

[On April 28 (1779) Richard Henry Lee, for the Committee, wrote to Washington submitting "to your Excellencies wisdom, and better knowledge of military affairs and intended operations, the following measure: That the 2000 new recruits³⁶⁷ now in Virginia be forthwith

³⁶⁵Proclamation issued by John Jay, President of Congress, on the 20th of March, 1779.

³⁶⁶Read in Congress and referred to the Board of War on May 10. See Journal.

³⁶⁷From the Journal of Congress, May 7.

Resolved, That the recruits lately raised and raising in Virginia to complete the said State's quota of troops for the continental army, be ordered with all possible expedition to join the southern army in South Carolina (and Georgia).

That Colonel Bland's regiment of light dragoons be ordered to join the southern army as expeditiously as possible:

That the commanding officer of Colonel Baylor's regiment of light dragoons, be directed to order as many of the dismounted men of the said

regimented and ordered to join the southern army. That a sum of money be sent to Colo Bland, with orders to reinlist the men of his regiment, and proceed without delay to the same destination. "Journals of the Continental Congress," Vol. XIV, p. 512.]

(From Journal of the House of Delegates.)

Monday, May 10.

Resolved, That the Governor be desired forthwith to despatch an express to General Scott,³⁶⁸ informing him that there is great reason to apprehend an invasion from the enemy on this Commonwealth, and requesting him immediately to march such continental levies, as are now under his command, to the city of Williamsburg, and to call in such continental officers as may be necessary for the command of the said levies, and are now within this Commonwealth.

GOV. HENRY TO THE PRESIDENT OF CONGRESS, JOHN JAY.

(From W. W. Henry's "Henry," III, 238.)

Williamsburg, 11th May, 1779.

Sir: On Saturday³⁶⁹ last (the 8th) in the Evening a British Fleet³⁷⁰ amounting to about thirty sail consisting of one 64 Gun Ship (Supposed by some to be the Saint Albans) and fifteen or sixteen large ships, some of them either Frigates or armed Vessels, it is not known certainly which, and the other vessels of lesser size, came into the Bay

regiment as Colonel Bland has spare horses for, to join Colonel Bland without delay.

That the said commanding officer be directed to detach all the mounted and equipped men of the said regiment, under officers proportioned to the number of men, to join Colonel Bland's regiment, and proceed therewith to reinforce the southern army.

That Mr. President write a letter to the governor of Virginia requesting, in the name of Congress, that the new levies in Virginia may be furnished with the cloaths promised them by law, as speedily as possible, and if this cannot be immediately done, that the State use its influence to induce the men to proceed, with satisfactory assurances that the cloathing shall follow as soon as possible.

³⁶⁸Charles Scott, lieutenant-colonel 2d. Virginia, 1776; colonel 5th Virginia, 7th May, 1776; brigadier-general Continental Army, 1777; taken prisoner at Charleston, 12th May, 1780, and was a prisoner on parole to close of war.

At the time of the above resolution Gen. Scott was in command of about 2,000 Continental recruits intended for the relief of South Carolina. On the 17th a resolution was passed requesting Gen. Scott to summon to his aid that part of Col. Baylor's regiment of horse then stationed at Winchester. However, on the 20th the Assembly, satisfied that the State was in no imminent peril, desired the Governor and Council to hasten the march of the Continental recruits to the southward.

³⁶⁹May 8.

³⁷⁰The fleet was under the command of Admiral Sir George Collier. On board were some men commanded by General Matthews. For a British account of this incursion, see V. H. M., IV, 181.

of Chesapeake; and the next day proceeded to Hampton Road; where they anchored and remained quiet until Yesterday about Noon, when several of the Ships got under way, and proceeded towards Portsmouth, which place I have no doubt they intend to attack by water, or by land, or by both, as they have many flat-Bottomed Boats with them for the purpose of landing their Troops. As I too well know the weakness of the Garrison, I am in great Pain for the consequences, there being great Quantities of merchandize the property of French Merchants and others in this State, at that Place, as well as Considerable Quantities of military Stores, which tho' measures some time since were taken to remove, may nevertheless fall into the Enemy's hands. Whether they may hereafter intend to fortify and maintain this Post is at present unknown to me, but the Consequences which will result to this State and to the United States finally, if such a measure should be adopted, must be obvious. Whether it may be in the power of Congress to adopt any measures which can in any Manner Counteract the design of the Enemy is submitted to their Wisdom. At present I cannot avoid intimating, that I have the greatest Reason to think that many vessels from France, with public and private merchandize, may unfortunately arrive while the Enemy remain in perfect possession of the Bay of Chesapeake, and fall Victims unexpectedly.

Every precaution will be taken to order Look out boats on the Sea coasts to furnish proper intelligence, but the Success attending the Execution of this necessary measure will be precarious in the present situation of Things.

It is not in my Power to be more explicit at this Time, but the weightiness of this Affair has induced me not to defer sending the best Information I cou'd obtain by Express.

You may depend, that so soon as further particulars respecting the Designs of the Enemy shall come to my knowledge, they shall be communicated without delay to Congress.

With great Regard,

I have the Honor to be

Sir,

Your most obedient Servant,

P. HENRY.

To the Hon. President of Congress

GOV. HENRY TO GOV. JOHNSON, OF MARYLAND.

(From the original, owned by the Rosenback Company, of New York.)

Williams^b May 12th 1779.

Sir

The Express who bears mine of yesterday's date being not yet set off I have an opportunity of informing you that I have just rec^d the unwelcome though not unexpected account of the loss of Portsmouth. The Commanding officer found himself under the necessity of evacuating it yesterday about 3 OClock and the Enemy took possession of it about an hour afterwards. What part of the Stores were saved is not

yet communicated to me. The number of Men landed by the Enemy on this occasion can not be ascertained. The reports say from 1300 to 1600. The Commanding Officer of the Fort was retreating towards the Great Bridge pursued by a party of the Enemy. It still remains uncertain whether they mean [to] take any permanent footing in this State.

I am Sir Y^r Most Ob Serv^t
P. HENRY

[Addressed:]

To

His Excellency

Governor Johnstone

By Express

Maryland

GOV. HENRY TO THE PRESIDENT OF CONGRESS, JOHN JAY.

(From W. W. Henry's "*Henry*," III, 240.)

W^ms^burgh, May 12th 1779.

Sir: I addressed you yesterday upon a Subject of the greatest consequence. The last Night brought me the fatal account of Portsmouth being in possession of the enemy- their force was too great to be resisted, and therefore the Fort was evacuated after destroying one Capital Ship belonging to this State and one or two private ones loaded with Tobacco- Goods & Merchandize however of very great value fall into the Enemy's Hands. If Congress cou'd by solicitations procure a Fleet superior to the Enemy's Force to enter Chesapeake at this critical Period, the prospect of Gain and advantage wou'd be great indeed.³⁷¹

I have the Honor to be with the greatest regard

Sir,

Your most humble &

Obedient Servant,

P. HENRY.

To the Hon. President of Congress.

³⁷¹This and the preceding letter to the President of Congress were read in Congress on May 21, whereupon it was

Resolved, That the letters of Governor Henry, with that received from Thomson Mason, Esq., be communicated to General Washington, and that the Board of War be directed to replace as speedily as possible, the arms furnished by the State of Virginia, by the request of Congress, to the State of South Carolina, with such cartouch boxes as may be required by the delegates of Virginia.

Ordered, That the intelligence contained in the letters of Governor Henry be communicated to the Minister Plenipotentiary of France;

That the letters be referred to the Board of War. "Journal" XIV, p. 623.

(From Journal of the Council.)

13 May, 1779.

Permission is hereby given to Captain Peter Bernard³⁷² to go with a flag of truce on board his Britannic Majesty's ships now in Hampton Roads, and make application to the commander-in-chief of the British squadron to obtain the restitution of four negro slaves, said to be on board one of the British ships, and belonging to William Armistead, Esquire, of Gloucester County, and run away from him.³⁷³

P. HENRY.

(From Journal of the House of Delegates.)

Thursday, May 13.

The Speaker laid before the House two letters from the Governor, enclosing several others from the President of Congress, and sundry resolutions of that body, together with other papers, and stating several matters for the consideration of the House.

(From Virginia State Archives.)

In the general Assembly.

Friday the 14th of May 1779.

Resolved, that the governor and council be desired forthwith to inform the general assembly of such measures, as have been taken for the defence of the commonwealth against the present invading enemy, and are proper to be communicated.

Test.

E. RANDOLPH, C. H. D.

May 14th 1779.

Agreed to by the Senate

J. Beckley C. S.

(A Copy)

(From Journal of the House of Delegates.)

May 14.

Resolved, That volunteers³⁷⁴ be enlisted to serve within this Commonwealth for the defence thereof, during the present invasion; that the general officers be appointed by joint vote of both Houses of Assembly, and the field officers, captains, and subalterns, by the Governor, with advice of Council.

* * *

Resolved, That for the defence of the Commonwealth, in the mean time, the Governor and Council be empowered, when they shall have

³⁷²Peter Bernard, captain 2d Virginia State Regiment; resigned 24th August, 1779.

³⁷³See *Tyler's Quarterly Magazine*, Vol. II, p. 78.

³⁷⁴The State cavalry regiment was enlisted under this emergency act of the assembly. Four troops were raised.

embodied the militia and formed them into regiments, to appoint field officers to command the same.

Saturday May 15.

The Speaker laid before the House a letter from the Governor, enclosing an account of such measures as have been taken by the executive for the defence of the Commonwealth, and are proper to be communicated.

May 15.

Resolved, That it be recommended to the honorable Brigadier General Scott, forthwith to send an express to Lieutenant Colonel Temple,³⁷⁵ at this time stationed at Winchester, with a part of Colonel Bland's regiment of light horse, requiring his immediate attendance with the same, at such place as to General Scott may seem most expedient for the defence of the Commonwealth; and that the Governor be desired to apply to Congress for their approbation, and inform them of those circumstances which have rendered it necessary to call for the services of this corps without awaiting their order.

(From the Virginia Gazette, May 15, 1779.)

By his Excellency PATRICK HENRY, Governor or Chief Magistrate of the Commonwealth of Virginia,

A PROCLAMATION

Whereas a British fleet arrived in this commonwealth on Sunday last, and the next day landed troops who took the fort at Portsmouth, and also destroyed many vessels there, and have since marched and taken the town of Suffolk, and burnt a part thereof, committing on their way thither, horrid ravages and depredations, such as plundering and burning houses, killing and carrying away stock of all sorts, and exercising other abominable cruelties and barbarities; and it is supposed they will carry their depredations into other parts of this state, I have therefore, by and with the advice of the Council of State issued this my proclamation, requiring the county Lieutenants and other military officers in this commonwealth, and especially those on navigable waters, to hold their respective militias in readiness to oppose attempts of the enemy wheresoever they may be made.

GIVEN under my hand and the seal of the Commonwealth, at the capitol in the city of Williamsburg, the 14th day of May, in the third year of the Commonwealth, annoque Domini, 1779.

P. HENRY.

(From Journal of the House of Delegates.)

Monday, May 17.

Resolved * * * That the measures taken by the Governor and Council against the seceding Cherokee Indians be approved, and that all farther proceedings therein be left to their discretion.

³⁷⁵Benjamin Temple, lieutenant-colonel 1st Continental Dragoons, 31st March, 1777; transferred to the 4th Dragoons, 10th December, 1779, and served to close of the war.

GOV. HENRY TO THE HON'BLE THE SPEAKER OF THE
HOUSE OF DELEGATES OF VA.³⁷⁶

(From Calendar of Virginia State Papers, Vol. I, p. 319.)

May 18th 1779

Sir

I have enclosed a Letter for the perusal of the Assembly, from Col^o Clarke at the Illinois. This Letter among other things informs me of an Expedition which he had plann'd and was determined to execute, in order to recover Fort St Vincent,³⁷⁷ which had been formerly taken from the British Troops, and garrisoned by those under the Colonel's Command. This Enterprise has succeeded to our utmost wishes, for the Garrison commanded by Henry Hamilton, Lieutenant Governor of Detroit, and consisting of British Regulars and a number of Volunteers were made Prisoners of war. Col^o Clark has sent the Governor, with several officers and privates under a proper Guard, who have by this time arrived at New London, in the County of Bedford.

Proper measures will be adopted by the Executive for their confinement & security- Unfortunately the Letters from Col^o Clark, containing no doubt particular accounts of this affair, were in the possession of an Express, who was murdered by a party of Indians on his way through Kentuckey to this Place: the letters, as I am informed were destroyed. As the facts which I have mentioned are sufficiently authenticated, I thought it material that they should be communicated to the Assembly.

I have the Honor to be

Sir, y^r: most obedient servant,

[PATRICK HENRY.]

To the Hon. Speaker of the House of Delegates.

GOV. HENRY TO RICHARD HENRY LEE.

(From W. W. Henry's "Henry," I, 30.)

W^msb^urg^h, May 19th 1779.

Dear Sir: Yesterday I received your last favor by express and laid it before the Assembly. The enemy are here and I suppose them the same embarkation you mention. Their number is about two thousand land forces. Their ships 1,64, the Reasonable, the Rainbow, 44, the Otter a new sloop, and one or two other sloops and some privateers. The rest are transports, in number about 15, making in all about 35 sail. They took Portsmouth with little opposition, our force there being under 100 Regulars. Four or five vessels of value and some force were lost, one of which fell into the enemy's hands. From thence they proceeded to Suffolk last Friday, where they burnt the town and all the continental possessions there, about I believe 1200 barrels of pork. No flour was destroyed, nor did they get anything they could

³⁷⁶Laid before the House the next day, and referred to a committee of the whole House on the state of the Commonwealth.

³⁷⁷For an account of the Vincennes expedition, in letter of Joseph Bowman to Isaac Hite, see V. H. M., Vol. XV, p. 211.

carry off except the plunder of houses, which they indiscriminately robbed and despoiled of everything valuable, and then set fire to many. They retreated back to Portsmouth where they now are and as yet have not destroyed the town. It is, however, expected daily to share the fate of Suffolk. Our militia could not be embodied in time to attack the ravagers on their march, but we have now 2000 or 3000 in arms, and I trust we shall be pretty secure in these parts against their future operations. But the extent of our shores hinders the possibility of defending all places. Seven Frenchmen, it is said and believed, have been murdered in cold blood. Others add that they were even strangled by the British. I shall take care to investigate that matter and inform Congress if I find it true. Our Assembly have called General Scott and the new recruits to our aid. Yesterday also Bland's cavalry were sent for here. Will it not disgrace our country thus to cry out for aid against this band of robbers? However the Assembly have done it and I must submit.

Gov^r Hamilton of Detroit is a prisoner with the judge of that country, several captains, lieutenants, and all the British who accompanied Hamilton in his conquest of the Wabash. Our brave Col^o Clark (sent out from our militia) with 100 Virginians besieged the Governor in a strong fort with several hundreds, and with small arms alone fairly took the whole corps prisoners and sent them into our interior country. This is a most gallant action and I trust will secure our frontiers in a great measure. The goods taken by Clark are said to be of immense amount, and I hope will influence the Indians to espouse our interests. Detroit now totters; and if Clark had a few of McIntosh's forces the place would be ours directly. I've lately sent the French there all the State papers, translated into their language, by the hands of a priest who I believe has been very active. I cannot give you the other particulars of Clark's success, his messenger to me being killed and the letters torn by the Indians.

Adieu, my dear sir. May you continue your labors for the public good, which has been so much forwarded by you for so long a time.

Yrs. in haste,

P. HENRY.

To Richard Henry Lee.

[On May 20, 1779, Gov. Caswell, of North Carolina wrote to Gov. Henry:

Sir:

Your letter, written by the advice of the Council, requesting this State to furnish Troops as well for the commonwealth of Virginia itself as to oppose the British forces to the Southward, I received, and, as the General Assembly was then sitting, I laid the same before that Body, who was of opinion that it contained a proposition of a strange nature, founded in reasons which have no weight in themselves, and therefore the Assembly requests me to testify their total disapprobation of the proposition, and appeal from the sense of the Council to the wisdom and virtue of the General Assembly of Virginia. "N. C. State Records," Vol. XIV, p. 87.]

(From Journal of the House of Delegates.)

Thursday, May 20.

Resolved, That the Governor and Council be desired to remonstrate with the commanding officer of the British troops now in this State, against the cruel and barbarous manner in which he is waging war against the good people of this Commonwealth, by prosecuting it with fire and every other cruelty unknown to civilized nations by custom or law.³⁷⁸

Resolved, That the Governor and Council be desired to order the purchase of as many provisions as will support the unhappy sufferers by the present invasion, until the next harvest comes in, to be conveyed to them as soon as opportunity will permit.

The Speaker laid before the House a letter from the Governor, enclosing one from Thomas Bee, Esq., of South Carolina.

The House resolved itself into a committee of the whole house, on the state of the Commonwealth.

* * *

Resolved, that it is the opinion of this committee, That the march of the recruits lately raised in this Commonwealth, and ordered by Congress to the southward, be not delayed for the purposes of this Commonwealth, the immediate defense of which shall be rested on its militia and regular troops.

Resolved, that it is the opinion of this committee, That the Governor and Council be desired to urge forward the march of the militia before ordered to South Carolina, assuring them that the Assembly will take into consideration their sufferings, and provide for them as effectually as shall be in their power, and that proper measures shall be taken with those who have refused to march or have deserted.

Resolved, That the Governor, be desired to inform the commissioners appointed on the part of Pennsylvania, to adjust the boundary between that State and this, that this Assembly will proceed to nominate commissioners for the same purpose, to signify that the place by them appointed is agreeable; but to desire that such meeting may be postponed until the Assembly shall have risen, of which notice shall be given them.

Friday, May 21.

The Speaker laid before the House, a letter from the Governor, enclosing one from the President of Congress, together with several resolutions of that body, and a letter from Gen. Washington.

³⁷⁸For the British side, see "Proclamation of Admiral Collier", published in Tyler's *Quarterly Magazine*, Vol. II, 310.

GOV. HENRY TO THE PRESIDENT OF CONGRESS,
JOHN JAY.³⁷⁹

(From W. W. Henry's "Henry," III, 241.)

Williamsburgh, May 21st 1779.

Sir: Being in the greatest Haste to dispatch your Express I have not time to give you any very particular Information concerning the present Invasion; let it suffice therefore to inform Congress that the number of the Enemy's Ships are nearly the same as when mentioned in my former Letter; with Regard to the number of Troops which landed and took Portsmouth, and afterwards proceeded and Burnt, Plundered and destroyed Suffolk, committing various Barbarities, &c^a we are still ignorant, as the accounts from the Deserters differ widely; perhaps however it may not exceed 2,000 or 2,500 men.³⁸⁰

I trust that a sufficient number of Troops are embodied and stationed in certain Proportions at this Place, York, Hampton, and on the South side of James River.- When any further particulars come to my Knowledge they shall be communicated to Congress without delay.

I have the Honor to be,

Sir,

Y^r hb^l• Serv^t.

P. HENRY

To the Hon'ble President of Congress.

(P. S.) I am pretty certain that the Land Forces are commanded by Genl Matthews, & the Fleet by Sir Geo. Collier. Yr Letter inclosing several Resolutions was this day received and laid before the General Assembly.

(From Journal of the House of Delegates.)

Saturday, May 22.

The Speaker laid before the House, a letter from the Governor, enclosing one from Brigadier General Allen Jones,³⁸¹ of the State of North Carolina.

* * *

Resolved, That the Governor be desired to express to Brigadier

³⁷⁹This letter was read in Congress on May 29, and referred to the Committee on Intelligence.

³⁸⁰On May 24 Mr. Meriwether Smith moved the following resolutions in Congress.

Whereas it hath been represented to Congress, that the enemy, at the time of, and since their landing in Virginia, have perpetrated the most unnecessary, wanton, and outrageous barbarities on divers of the citizens of that State, as well as on several of the subjects of his most Christian majesty residing therein; deliberately putting many of them to death in cool blood, after they had surrendered, abusing women, and desolating the country with fire:

Resolved, That the governor of Virginia be requested to cause diligent enquiry to be made into the truth of the above representations, and to transmit to Congress the evidence he may collect on the subject.

³⁸¹Allen Jones, lieutenant-colonel, and colonel and brigadier general, North Carolina militia, 1775 to 1782.

General Jones, the high sense the General Assembly have of the generous interposition of the Assembly of North Carolina, to avert the dangers with which this State is threatened from the present invasion, and that the executive take such orders with respect to the assistance tendered in Gen. Jones's letter as may appear necessary.

Monday, May 24.

Resolved, That the Governor and Council be desired to inform the commanding officer of the enemy, who have invaded this State, that if a stop be not put to the barbarities and unwarrantable depredations committed by those troops, a severe retaliation will be made upon the persons and property of the subjects of the King of Great Britain within this Commonwealth.

GOV. HENRY TO THE SPEAKER OF THE HOUSE OF DELEGATES, BENJAMIN HARRISON.

(From Virginia State Archives.)

May 25th 1779

Sir

I have the Honor to transmit to the general Assembly, some further Particulars which have occurred since the last Assembly, I am

Sir

Your most ob^t Servant

P. HENRY.

The honble Benja. Harrison Esq^r³⁸²

P. S. Two Memorials from W^m Murray & others on the Subject of the western Lands are sent herewith.

[A letter of Governor Henry, dated May 27, was read in Congress on Monday June 7, and Ordered referred to the Committee of Intelligence. "Journal." Vol. XIV, p. 694.]

GOV. HENRY TO THE SPEAKER OF THE HOUSE OF DELEGATES, BENJAMIN HARRISON.

(From W. W. Henry's "Henry," III, 242.)

May 25, 1779.

Sir: A certain Zechariah Sned was detected going secretly to the British Flag Vessels, and being examined, and found to lay under very strong suspicions of desaffection, has been ordered to goal. A few days ago a person calling herself Letitia Fitzgerald appeared in this city; her husband, she pretends, is the eldest son of the Duke of Leinster, was apprehended in the Nansemond County and was under examination for treasonable practices, when the enemy entered Suffolk and released

³⁸²Laid before the House the same day, and referred to a committee—of the whole House, on the state of the Commonwealth.

him. A great variety of circumstances concur to induce a belief that this is a dangerous woman, and that she came hither with some wicked intention. She was therefore sent to goal also.

The Executive having in these two instances exercised a power not expressly given them by law, I take this method of informing the legislature of it, and have only to add, that apprehension for the public safety is the sole reason for the proceeding.

I am,

Sir, Your most humble servant,

P. HENRY.

Hon'ble Benjamin Harrison.

Speaker of the Ho. of Delegates.

(From Journal of the House of Delegates.)

Wednesday, May 26.

The Speaker laid before the House, a letter from the Governor, stating a matter for their consideration and the same being read was ordered to lie on the table.

Thursday, May 27.

From the Committee of Courts of Justice,

Resolved, That it is the opinion of this committee, That the act of Assembly, passed in the year 1778, entitled "an act to empower the Governor and Council to superintend and regulate the public jail", which will expire at the end of this present session of Assembly, ought to be continued.

Resolved, that it is the opinion of this committee, That the act of Assembly, passed in the year 1778, entitled "an act to empower the Governor and Council to lay an embargo for a limited time," which will expire at the end of the present session of the Assembly, ought to be continued.

Resolved, that it is the opinion of this committee, That an Act of Assembly, passed in the year 1778, entitled "an act to enable the Governor and Council to supply the armies and navies of the United States, and of their allies, with grain and flour," which will expire at the end of this present session of Assembly, ought to be continued.

* * *

The Speaker laid before the House a letter from the Governor, enclosing sundry papers, and stating several matters for the consideration of the General Assembly; and the same were read, and ordered to be referred to the committee of the whole House, on the state of the Commonwealth.

GOV. HENRY TO THE SPEAKER OF THE HOUSE OF DELEGATES, BENJAMIN HARRISON.

(From W. W. Henry's "Henry," II, 38.)

May 28th, 1779.

Sir: The term for which I had the honor to be elected governor by the late assembly being just about to expire, and the constitution, as I think, making me ineligible to that office, I take the liberty to communicate to the assembly through you, sir, my intention to retire in four or five days.

I thought it necessary to give this notification of my design, in order that the assembly may have the earliest opportunity of deliberating upon the choice of a successor to me in office.

With great regard,

I have the honor to be, sir,
Your most obedient servant,

P. HENRY.

To the Speaker of the House of Delegates.

(From Journal of the House of Delegates.)

May 28.

The Speaker laid before the House a letter from the Governor, resigning his office as chief magistrate of the commonwealth; and the same was read, and ordered to lie on the table.

Ordered, That Mr. Jefferson be added to the committee appointed to prepare and bring in a bill, "for removing the seat of government."

(Jefferson Papers, Library of Congress.)

A List of Articles purchased for the palace³⁸³

Viz.

5 large dishes.....	£ 6.17.6
1 1-2 plates a 48/.....	3.12.-
2 Basons 24/.....	2.8. -
1 large Bowl.....	2.8
3 d° smaller a 36/.....	5.10 -
2 d° - d° a 18/.....	1.16
1 Sugar dish - 30/.....	1.10 -
1 Sett Cups & Saucers.....	3.12.-
4 Y ^d s Carpeting a 90/.....	18.-

45.13.6

deduct for one Sugar dish..... 1.10

£44.3. 6

I certify that the within Articles have been received by me from M^r Geo. Reid for the palace on public Acc^t

sign'd P. HENRY

May 29. 1779.

Copy

³⁸³The "Palace" in Williamsburg, former residence of the Royal Governors, now occupied by the first governor of the Commonwealth.

GOV. HENRY TO COL. THEODORICK BLAND.

(From W. W. Henry's "Henry," III, 243)

Williamsburg, May 29th, 1779.

Sir: I was exceedingly surprised when I was told by your letter that none of mine had reached you, except one that you mentioned. I really fear that some mal-practices have been the means of stopping several despatches I sent you. However, for the present I am happy to observe, that your attention to the public safety has prevented any mischief that could be apprehended from your quarter.

The board of war have just told me that four hundred suits of clothes are ordered in for your corps, that is to say- coats, vests, and breeches, Shirts, &c., are directed to be procured by Colonel Finnie. From his known efficiency and activity, I am in hopes something may be done to make your people easy as to the articles directed to be procured by him. The enemy are gone to sea, and are supposed to be going to New York. You will discharge the militia as soon as you judge it proper. Their affairs, I guess, press hard for their return home. The disposition of the convention troops remains with you; I mean particularly the return of the officers to their former dwellings. I announced this to them, and wish them to be indulged, unless you see reasons against it which are unknown to me. Those from Henrico are not to return, &c.

I am, Sir,
Your most obt. serv^t.

P. HENRY.

To Col. Theodorick Bland.³⁸⁴

(From Journal of the House of Delegates.)

May 29, 1779.

Resolved, That the Governor be desired to present the finest gelding that can be procured, and caparisoned in the best manner, to brigadier General Scott, as a small testimony of their sense of his activity and zeal in the late invasion of this Commonwealth.

* * * *

The Speaker laid before the House, a letter from the Governor, enclosing several papers, and stating sundry matters for the consideration of the General Assembly; and the same being read, those respecting the Indian affair were ordered to lie on the table; the rest were referred to the committee of the whole House, on the state of the Commonwealth.

* * * *

Resolved, That the Governor be desired to provide for, and to send to the unhappy sufferers by the present invasion, in and about Portsmouth and Suffolk, as much provisions as may be necessary for their present support.

³⁸⁴Interesting letters from and to Col. Theodorick Bland, concerning the conditions in Albemarle are printed in V. H. M., Vol. IX, 300 *et seq.*

(From the Journal of the House of Delegates.)

Tuesday, June 1 1779.

Resolved, That Thomas Jefferson Esq. be appointed Governor or Chief Magistrate of this Commonwealth.³⁸⁵

(From the Virginia Gazette, June 5, 1779.)

In the HOUSE OF SENATORS, Tuesday, June 1, 1779.

Resolved, nemine contradicente, that the thanks of this House be given to Patrick Henry, Esq; late Governour of this commonwealth, for his faithful discharge of that important trust, and his uniform endeavours to promote the true interests of this state and of all America.

Resolved, nemine contradicente, that this just tribute of applause be presented to Mr. Henry through a committee of this House, and that Mr. Jones, Mr. Lee, Mr. Adams, Mr. Harrison, Mr. Matthews, and Mr. Ellzey, be of the said committee.

test

JOHN BECKLEY, C. S.

The Gentlemen above named accordingly waited on Mr. Henry at the palace, and presented him with the resolutions of the Senate, to which he returned the following answer:

Gentlemen:

The unanimous approbation which the Senate have been pleased to communicate, confers the highest obligation on me. I entreat you to convey to that Honourable House, my cordial acknowledgements, and to assure them that the signal honour they have done me, shall ever be held in grateful remembrance.

The answer of Patrick Henry Esq; (late Governour of this commonwealth) to the committee appointed from the House of Delegates, to notify to him, the thanks of that House for the faithful discharge of his important trust.

Gentlemen,

The House of Delegates have done me very great honour in the vote expressive of their approbation of my publick conduct. I beg the favour of you Gentlemen, to convey to that Honourable House, my most cordial acknowledgements, and to assure them that I shall ever retain a grateful remembrance of the high honour they have now conferred on me.

³⁸⁵The first joint ballot gave Thomas Jefferson, Esq. 55; General Nelson, 32; the Hon. John Page, 38.

The second ballot resulted, Thomas Jefferson, Esq. 67; the Hon. John Page, 61.

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